THE FINAL PHASE OF THE STRUGGLE FOR PAKISTAN

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by

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To

The undying memory

of

Quaid-i-Azam

MOHAMMAD ALI JINNAH

and his loyal followers

whose toil and sacrifice

made

Pakistan a reality

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PREFACE

Pakistan as a distinct entity has begun to attract the attention of foreign observers. In recent years a number of books have appeared in which an attempt is made by Western writers to study the events and causes which led to the creation of Pakistan as a separate, independent state. Their interest and study are, of course, welcome. But their works, by and large, are characterised by a common drawback—inability to understand and appreciate the idea of a Muslim nation and prejudice against the movement for setting up a state on ideological as different from merely territorial foundation. Some of them are frank enough to admit the difficulties and prejudices of Western observers in making a proper assessment of the genesis and consolidation of a state like Pakistan. For instance, an erudite scholar, Professor Keith Callard of McGill University, Canada, remarks, "The European or American observer instinctively feels that the concept of a nation and a state whose unity depends almost entirely on religion is an anomaly and a reactionary anomaly". Further he states: "The Muslims of India advanced their claim to national self-expression upon the identity of religious belief. In the Western mind this conjured up vague (and usually unhistorical) visions of Muslim fanaticism, the holy War, Mahdi, the conquest of empire by sword, the forced conversion of the infidel and destruction of temples and idols."

Another well-known author, Mr. Ian Stephens (former Editor of Statesman of Calcutta and New Delhi), points to similar prejudices which, according to him, blur the Westerner's vision of a country like Pakistan. In his latest book 'Pakistan' he says: "Their (Westerners') lack of interest in a country so exceptional as Pakistan, so populous, so strategically important, a country, moreover, which has allied itself with them militarily; their

frequent symptoms of a vague emotional repugnance; their inclination to turn elsewhere, towards other less significant parts of the map, combine, on reflection into something strange, which asks for inquiry. And there seems reason to suspect that an antagonism of a religious origin—though it does not wholly explain it—may be involved here too". He further remarks: "It can scarcely be questioned that, though detailed attempts to analyse them would be absurd, thoughts like these (memories of Europe's past conflicts with the Muslim world) do distort the Westerners' attitude towards Islam and, therefore, towards the interesting country dealt with in this book". Mr. Stephens, however, has the fairness to admit that there is among Pakistanis no corresponding hostility toward the West and adds: "But Pakistanis oddly enough—here we reach the obverse of the medal—see matters quite otherwise, geographically and historically; see them in friendly, not a hostile light which is a big discovery which our novice (Western visitor to Muslim East) makes, travelling east, if his major landfall happens not to be (say) Istanbul or Cairo but Karachi or Lahore, Delhi or Dacca."

To the Western observer religion undoubtedly is merely a private matter between the individual and his God. This conviction has become so widespread and deep-rooted in the Western world that the possibility of some people sincerely holding a different belief just does not occur to the Western mind. The Muslims conceive that Islam is something more than mere religion in the conventional sense as understood in the West; it is a life-concept, a life-outlook, a culture, and a polity. As Dr. Iqbal has remarked, 'it is a people-building force' which has worked at its best in the Indo-Pakistan sub-continent. The claim of the Muslims of India to 'national self-expression', therefore, was not advanced only upon the identity of religious belief. There were factors and forces in addition to mere religious belief which, through a long historical process, had created in the Muslims the consciousness of a separate national identity and a separate historical destiny. The logical culmination of this process was the emergence of Pakistan as a separate state alongside the independent state of India.

Another tendency with Western writers in telling the story of transfer of power by Britain to two independent states in the sub-continent is to gloss over certain crucial events and to equate the wrong-doer with the wronged. For instance, the British failure to keep the pledged word in the formation of the Interim Government and the Congress Party's deliberate mutilation of the Cabinet Mission's compromise plan for constitution-making are so presented as to almost exonerate the offending parties of their guilt. One can appreciate the desire on the part of a writer to appear objective and impartial, but it does not absolve him of responsibility to bring out facts as they are known and established and to attach due importance to them.

If, for these reasons among others, the image of Pakistan suffers abroad, the blame does not lie entirely with foreign observers; it must be shared by Pakistanis also. No serious attempt has been made by us to put forward our version of the freedom struggle and the emergence of Pakistan supported by incontrovertible facts. No doubt, there are prejudices as already pointed out; but they can be softened if not altogether eradicated, if we depict a correct picture of Pakistan, the raison d'etre of its establisment and the efforts made for its consolidation. The factors and forces which led to the creation of Pakistan and continue to sustain its growth have such solid validity that their presentation in a convincing form cannot fail to win sympathetic understanding abroad.

The rising generation in Pakistan too deserves to be told the story of their national resurgence. There is an intimate connection between the historical memories of a nation and its present life, as Allama Iqbal has observed, "No people can afford to reject their past entirely; for it is their past that has made their personal identity." A people that becomes obvious of the moorings of its past, particularly the factors and ideals of its freedom struggle, is like a rudderless ship tossing on stormy seas. Growth of patriotism and national integration cannot be brought about unless the younger generation is familiarised with the facts of the great historical struggle which brought them the blessings of independent nationhood. If they do not know

these facts they cannot develop that feeling of self-confidence and national pride which is so essential for their own growth as free citizens and the progress and prosperity of their country.

The uniqueness of the Quaid-i-Azam's achievement and historic role as a nation-builder is not yet fully appreciated. His task, indeed, was more difficult than that of other freedom-fighters. In modern times there have been several examples of men of outstanding calibre rescuing their people from degradation and enslavement. Their task, however, was comparatively easier, as their peoples already were free peoples. They had not ost their spirit and fighting qualities and had only to struggle to retain their freedom. But in a subject sub-continent like India which had been under alien rule for about a hundred and fifty years it was nothing short of a human miracle to have raised a dead people to life, in fact to have created a unified nation out of a torpid mass of scattered, demoralised, depressed and dispirited people who had almost lost all sense of self-respect and self-consciousness. The Quaid-i-Azam found them in a state of sycophancy begging for safeguards as a minority : he helped them rise to the status of a nation claiming and winning its place in the sun, all within the span of a decade.

The fight for freedom usually is a simple issue—the struggle of a subject people to emancipate themselves from the yoke of a foreign ruling power. Such, indeed, was the struggle of the Hindu nation as waged by the Congress party. The Muslim nation under the Quaid-i-Azam's leadership, on the other hand, had to fight on three fronts—the British, the Congress, the 'quisling' Muslims. In addition, the Quaid-i-Azam also had to be careful about certain weak links in the chain of his own organization. The difficulties and handicaps he had to labour under were formidable. He had to race against time and to make good, in the brief space of a decade, the deficiencies and drawbacks resulting from the inertia of half a century. He did not have at his disposal an abundance of the where-withal of modern political warfare—press, trained and devoted workers, finance, propaganda machinery etc. By sheer force of determination and supreme effort he succeeded in arousing political

canscioussness of a high order among his followers and filling their hearts with his own burning passion for freedom, and thus led them to the attainment of their national goal. He had to face the implacable opposition of the Congress leadership which was understandable ; he had to contend with the unsympathetic and unfair attitude of the British Government of the day whose partiality for the Hindu nation was undisguised ; he also had to foil the moves of the 'quisling' Muslims who always played into the hands of enemies of Muslim freedom. The Congress fought for undivided India, Akhand Hindustan, which meant Hindu sovereignty and Muslim subjugation ; it failed. The Quaid-i-Azam fought for division of India into Pakistan and Hindustan which meant freedom for both the Hindu and the Muslim nations ; he won.

In the volume I have the honour to present I make no claim to originality or thoroughness. I am fully conscious of my limitations. Besides, I have not had the advantage of access to all source material. However, as one who had the good fortune and privilege of participating in the Pakistan movement as a humble worker I considered it my duty to narrate the events of the final and most crucial phase of the struggle for Pakistan with due regard to factual accuracy. God-willing, I may some day be in a position to tell the full story.

When the first edition of this book was issued I expressed the view that if it helped, even to a limited extent, in clearing the cobwebs of misunderstanding about Pakistan and enabling our younger generation to know something of the historical background of their nation and country I would deem my labour amply rewarded. I feel gratified by the reception accorded to the book. In recent months I have been pressed to bring out another edition. I have accordingly revised and enlarged the manuscript and I am grateful to Mr. Muhammad Amin of Publishers United, Lahore, who has shown keen interest in bringing out this revised edition.

Karachi, Jamil-ud-Din Ahmad
3 November, 1968.

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CHAPTER 1

SIMLA CONFERENCE, 1945

The magnitude and complexity of the struggle for Pakistan can be gauged from the fact that the Muslims were ringed round by three inimical forces—the British authority, the Hindu majority and the "quisling" Muslims. Never perhaps had any people to wage a more difficult and desperate struggle against such odds with such handicaps as the Muslims had to do. The British attitude was in line with the policy originally adopted by them towards the Muslims during the days of the East India Company. The remarks made in this connection by a distinguished British civilian, Dr. Sir William Hunter, in his book *The Indian Musalmans* are pertinent: "The truth is, that when the country passed under our rule, the Musalmans were the superior race, and superior not only in stoutness of heart and strength of arm, but in power of political organization, and in the science of practical government. Yet the Muhammadans are now shut out equally from Government employ and from the higher occupations of [non-official life."[1] After giving a pathetic account of the degradation and ruin of typical Muslim families he laments: "If any statesman wishes to make a sensation in the House of Commons, he has only to truly narrate the history of one of these Muhammadan families of Bengal."[2] He feels constrained to admit that "from the highest official to the lowest (and no one has penetrated into the wrongs of the Musalmans more deeply than the present Viceroy), there is now a firm

1. W. W. Hunter, *The Indian Musalmans*, Premier Book House, Lahore, 1964, p. 127.
2. Ibid., p. 116.

conviction that we have failed in our duty to the Muhammadan subjects of the Queen."[3]

That it was the set policy of the British authorities to favour the Hindus and discriminate against the Muslims is indicated by the following statement in the Persian paper *Dur Bin* of Calcutta, dated July 1869, quoted by Dr. Hunter in his book: "The Government is bound to look upon all classes of its subjects with an equal eye, yet the time has now come when it publicly singles out the Muhammadans in its Gazettes for exclusion from official posts. Recently, when several vacancies occurred in the office of the Sunderbans Commissioner, that official, in advertising them in the Government Gazette, stated that the appointments would be given to none but the Hindus. In short, the Muhammadans have now sunk so low, that even when qualified for Government employ, they are studiously kept out of it by Government notification."[4]

A distinguished Hindu historian, K. M. Panikkar, himself has testified that ever since the ascendancy of the East India Company there was an Anglo-Hindu alliance: "An alliance was struck between the head of European banidom, the English company and Marwari merchants who commanded the wealth of Bengal."[5]

Towards the close of the British rule in the subcontinent the traditional pattern of Anglo-Hindu relationship remained the same. It became even more pronounced, for the Government in Britain at the time was controlled by the Labour Party whose leaders, Mr. Attlee and Sir Stafford Cripps, made no secret of their partiality for the Hindu nation and were prepared to go far to accommodate the wishes of its political organisation—the Congress—in disregard of considerations of equity, fairplay and even pledged word. There was, however, a new element in the situation. The Muslims by this time had become an organised force, and it was not so easy to ride roughshod over them.

3. Ibid., p. 112.

4. Ibid., p. 131.

5. K. M. Panikkar, *A Survey of Indian History*, Asia Publishing House, Bombay, p. 244.

For a review of the final phase of the struggle it would be fitting to trace the events from the conference of leaders of political parties convened by the then Viceroy, Lord Wavell, at Simla in 1945, for it marks the beginning of this phase. It was at this Conference that the Quaid-i-Azam, by his sagacity and courage, successfully foiled the subtle attempts made by the British to put in cold storage and by the Congress to sabotage the demand for Pakistan under the guise of formation of an interim, provisional government at the Centre.

In the summer of 1945 there seemed to be a disposition on the part of the British Government and the Congress to meet each other half-way even at the cost of the vital interests of the Muslims and the minorities in India. The "Quit India" movement of the Congress, though it had caused a good deal of damage and disruption at a perilous stage of the War, had been thwarted by the British Government. The Congress leaders had been in detention for about three years. Mr. Gandhi had been set at liberty a year earlier; he had been throwing out feelers to the British Government to come to terms with him. He had also held talks with the Quaid-i-Azam on the basis of what was called the "Rajagopalachari formula" with a view to bamboozling the world into the belief that he had met the essence of the demand for Pakistan. In both attempts he had failed. There was a stalemate.

On the other hand, the British Government, though it was not faced with any imminent threat in India, felt that it had to make some move forward in view of its numerous commitments and declarations of policy made since the outbreak of the War and also with a view to enlisting co-operation of leaders with political following for tackling the tremendous problems coming in the wake of termination of the War. For, the Allies had already won the War in Europe and the fight against Japan was in the last stage.

After prolonged discussion with the Viceroy who had been called to London for consultation, the Secretary of State for India, Mr. Amery, made a statement on 14 June 1945, setting out the British Government's proposals for interim arrangements at

the Centre in British India within the framework of the existing constitution, it being assumed that agreement as to the final settlement of the problem of the permanent future constitution was not possible at the moment. The proposals may be briefly summarised as follows:

(1) The British Government could not impose self-governing institutions upon an unwilling India. As declared in 1942, the constitution had to be framed by Indians and it was hoped they might be able to agree as to the procedure "whereby India's permanent future form of government can be determined". Meantime, the Government wished to secure under the existing constitution the co-operation of all communities and sections in carrying on the war with Japan and in planning post-war economic development.

(2) To that end it was proposed to reconstitute the Governor-General's Executive Council so that all its members, except the Governor-General and the Commander-in-Chief, would be Indian political leaders including equal proportions of Caste Hindus and Muslims.

(3) The Viceroy would call a conference of party leaders and Provincial Premiers and ex-Premiers who would be asked to submit to him lists of names from which he could select the personnel of the new Council.

(4) Co-operation at the Centre would make possible resumption of responsible government in Section 93 provinces on the basis, it was hoped, of coalitions of the main parties.

(5) These proposals in the British Government's opinion embodied "the utmost progress practicable within the present constitution" and none of them "would in any way prejudice or prejudge the essential form of the future permanent *constitution or constitutions* for India."

Another important announcement was that, since the Governor-General might possibly be embarrassed on occasions by his dual position of being concerned as head of the Government of India with the defence of Indian interests and at the same time of representing the specific material interests of Britain, it had been decided to appoint a British High Com-

missioner to negotiate on the British Government's behalf in such matters. It was claimed the proposals represented an agreed national offer from Britain to the people of India.

Orders had already been issued for the release of the members of the Congress Working Committee. High hopes were raised in Congress and Hindu political circles that, under cover of an interim provisional government, they would be able to secure effective power at the Centre which, in the absence of any agreement as to the future constitution, would enable them to perpetuate their dominant position over the whole country. Some of the pronouncements of the Viceroy, Lord Wavell, who had talked of the country's geographical unity, had also served to raise these hopes further.

Gone was the bravado and belligerence of 1942, gone also was the insistence on the demands made to Sir Stafford Cripps in regard to complete responsible government. The Viceroy's invitation to the Congress leaders along with leaders of other political parties to attend the Conference on the basis of the offer made by the British Government was at once accepted by the Congress Working Committee. Mr. Gandhi as usual declined the invitation on the ground that he did not represent the Congress and the function of representing the Congress belonged to its President. He, however, claimed to be the unofficial adviser both of the Congress and the British Government and placed himself at the Viceroy's disposal if he could be helpful without being a member of the Conference. On Mr. Gandhi's insistence invitation was issued to Moulvi Abul Kalam Azad who, at the Congress's behest, was to play the main part in nullifying the provision for parity of Caste Hindu and Muslim members in the reconstituted Executive Council, leading ultimately to the failure of the Conference.

Among the invitees to the Conference were the Presidents of the Muslim League and the Congress, the leaders of the Muslim League, the Congress and the Nationalist parties in the Central Legislature, the Chief Ministers of provinces, the ex-Chief Ministers of provinces which were then under Governor's rule, a leader of the Sikhs and a leader of the Scheduled Castes. The

Viceroy invited the Quaid-i-Azam, Mr. Gandhi, and Maulana Azad for preliminary discussions at Simla on 24 June; the Conference was to commence on 25 June. It was reported that both Mr. Gandhi and Maulana Azad made an indirect assault on the principle of parity between the Caste Hindus and the Muslims by claiming for the Congress the right to have a say in the representation of communities other than the Hindu community and by objecting to Muslim names being put forward by one Muslim organisation. The position was thus made difficult even before the commencement of the Conference.

The Quaid-i-Azam, while accepting the Viceroy's invitation, pointed out to him the difficulty of assembling the members of his Working Committee for consultations at Simla at such short notice, as clarifications of the British Government's proposals would, according to the Viceroy, be available only at the Conference on 24 June. He, therefore, suggested a short adjournment so that he might be in a position to place before his Working Committee the entire scheme emerging from discussions at the Conference. The Viceroy did not agree to the suggestion. In the course of his interview with the Viceroy on 24 June the Quaid-i-Azam was reported to have made the Muslim position clear on two points—the Muslims being in a minority in the proposed Council, there would have to be a safeguard that decisions would not be taken by simple majority vote; the Muslim League being the mouthpiece of Muslim India the Muslim quota of seats should be filled by members of the Muslim League.

In this opening remarks at the first session of the Conference on 25 June the Viceroy, Lord Wavell explained the purport and scope of the proposals embodied in the British Government's offer and asked the Conference to accept his leadership until an agreed change in the constitution was possible—a position which was willingly accepted by the Congress but not by others. The Viceroy listed the three main tasks of the Executive Council as follows: (1) effective prosecution of the War against Japan, (2) carrying on the Government of British India with all the manifold tasks of post-war development until a new permanent constitution can be agreed upon and comes into force, (3) to

consider (when the members of the Government thought it possible) the means by which such agreement could be achieved. He added that these proposals were intended to make long-term solution easier. The Viceroy also expressed the hope that if the Conference were successful, Ministries would again be formed in the provinces and that such ministries would be on a coalition basis. Further, he made it quite clear that there could be no question of the Governor-General agreeing not to exercise his constitutional power of control, though he assured it would not be exercised unreasonably.

So far as the general framework of the proposed changes was concerned, the Congress took no serious objection. It did not object to the continuance of a British Viceroy and a British Commander-in-Chief; it did not take exception to the retention by the Viceroy of his overriding powers; nor did it oppose formation of the Executive Council within the four corners of the existing constitution, viz. the Government of India Act, 1919, which did not permit of the Executive Council being responsible to the legislature. It may be recalled that a similar offer had been made by Sir Stafford Cripps in 1942 but the Congress had rejected it. The Congress climb down on all important issues in 1945 was motivated by one desire—to get on the right side of the British Government so as to capture power under British aegis and torpedo the demand for Pakistan under cover of interim arrangements. The whole attention and effort of the Congress representatives in the Conference was, therefore, concentrated on one point—how to render Muslim representation in the proposed Executive Council ineffective and unreal and manoeuvre Muslim India into a position where it would find it impossible to work for Pakistan.

When the Conference came to grips with two crucial questions—the strength and composition of the Executive Council by parties and communities, and the methods by which panels of names would be submitted to the Viceroy to enable him to make his recommendations for appointment to the Executive Council —the conflicting standpoints of the different parties became apparent. The Leader of the Nationalist Party attacked outright

the principle of parity. The Congress leaders made a flanking attack; while not objecting to the parity proposal as such they were concerned with the door through which the members would enter, or in other words, the parties to which the members belonged. In plain language, the Congress insisted on nominating not only the non-Muslim members but also the quota of Muslim members. It may be noted that the proposals provided for nomination or selection of members, not on the basis of political parties but communities, but the Congress wanted to reverse the procedure. Naturally this attitude was opposed by the Muslim League. At this stage it was suggested that private discussion between the Congress and the Muslim League leaders outside the Conference might prove more useful. Accordingly the Conference adjourned on 27 June to enable the leaders of the two parties to have informal discussions. In view of the Quaid-i-Azam's well-known stand that the Hindu-Muslim question could not possibly be discussed between two Muslims, the Congress Working Committee deputed one of its senior Hindu members, Mr. G. B. Panth, to meet the Quaid-i-Azam for discussions.

The Viceroy reasserted his position with regard to the formation of the Executive Council in case an agreement were reached at the Conference. He had three obligations—first, whatever the composition of the Council, he must maintain parity between Muslims and Caste Hindus; second, he would make the selection of names and could not accept names merely because of party affiliations; third, he had to satisfy himself that the persons selected would function harmoniously and would be capable of performing the first two tasks and approaching the third task in a spirit of conciliation. As will be seen later, the Congress accepted all these conditions and submitted its panel of names as required by the Viceroy.

As was to be expected, the Congress not only insisted on nominating Congress Muslims in the Muslim quota but also supported the Punjab Unionist Party's demand for a seat therein. The discussion between the Quaid-i-Azam and Mr. Panth did not result in any agreement. The Viceroy then suggested another

approach to the problem. At the meeting of the Conference on 29 June Lord Wavell asked all the parties to send him lists of the persons whom they would like to be included in the Executive Council; the lists should include more names than the number of seats likely to be available to any one party and they need not be confined exclusively to the persons belonging to the party concerned. After scrutinising the lists and considering some additional names of his own, the Viceroy would attempt to form, on paper, the kind of Executive Council which the British Government had in mind, and the proposals would then be placed before the Conference. In response to the Quaid-i-Azam's request the Viceroy promised to send him a written statement outlining the procedure he had suggested, so that the Quaid-i-Azam might consult his Working Committee. In his statement the Viceroy requested the Quaid-i-Azam to prepare and send him a list giving the names of members of the Muslim League who in his opinion could be included in the Executive Council; the number to be not less than eight and not more than twelve. Further, if the Quaid-i-Azam thought he could usefully suggest names of persons of any community other than members of the Muslim League, he could add them to his list. After receiving the lists the Viceroy would consult the leaders and then decide whether it was worthwhile making definite proposals to the Conference.

The Quaid-i-Azam, after consulting his Working Committee, replied that the League did not approve of the proposal for submitting a panel of names but preferred the procedure which had been agreed to by the former Viceroy, Lord Linlithgow, in connection with his offer of 1940, namely, that the selection of representatives, while resting with the Governor-General, should be based on confidential discussion between the leader of the party concerned and the Viceroy. Secondly, the Muslim members should be chosen from the Muslim League. Thirdly, while the League appreciated the Secretary of State's remarks that the Viceroy's power of veto would be exercised to protect the minority interests, it felt that some other effective safeguard against unfair decisions of the majority would be necessary.

After a personal discussion with the Quaid-i-Azam, the Viceroy replied as follows: (1) He could not give an assurance that all the Muslim members of the proposed Council would necessarily be members of the Muslim League. (2) He had asked for eight names but would accept five if the Quaid-i-Azam did not wish to send more. (3) It would be his principal duty to see fairplay between all parties not only in the composition but also working of the proposed Council. After giving careful consideration to the Viceroy's letter the League Working Committee authorised the Quaid-i-Azam to inform the Viceroy that the League very much regretted his inability to give the required assurance about the selection of the Muslim members and, as this was a fundamental principle, the League was not in a position to send names for inclusion in the proposed Council. On the other hand, the Congress and other parties readily submitted their lists in the hope that their suggestion would be accepted and the League would be bypassed. The Congress had nominated not only Hindus but also two Congress Muslims to fill two of the five Muslims seats, and its list was a recommendation for the composition of the entire Council (*vide* list appended at the end of this chapter). There was no change in the old Congress stand that it represented all India and others could share power, if it all, on its sufferance.

The Viceroy, thereupon, made his provisional selections, using his own discretion with regard to Muslim League representatives. He was reported to have told the Quaid-i-Azam in an interview that he was prepared to include four members of the Muslim League but the fifth place would have to go to a Punjab Muslim not belonging to the Muslim League (in other words, belonging to the Unionist Party). He would be willing, it was reported, to consider the Quaid-i-Azam's suggestions if he wished to substitute other names for the four chosen by the Viceroy. According to the League Working Committee's decision the Quaid-i-Azam told the Viceroy that it was impossible for the Muslim League to co-operate, unless all the five Muslim members were taken from the League and unless a special safeguard were provided for the protection of Muslim

interests within the Council, but the Viceroy as before was unwilling to give these assurances.

At its final meeting on 14 July the Viceroy announced the failure of the Conference. He observed that it was of the utmost importance that the effort to secure agreement between the parties and communities should not result in a worsening of the communal feeling and appealed to all to exercise the greatest possible restraint. The Conference thereupon dispersed. The final scene presented a strange contrast between the facial expressions of the Congress and the Muslim delegates which was aptly described by Mr. Liaquat Ali Khan in the form of a parody of a well-known English proverb as follows: "Those who came to scoff stayed to pray and those about whom it was said that they had gone to pray came out scoffing." The Quaid-i-Azam and his associates thus scored a significant victory which saved Muslim India from a perilous trap.

As soon as the Conference broke up the mighty propaganda machinery of the Congress trained all its batteries full blast on the Muslim League and particularly the Quaid-i-Azam, and the sky was rent with the cry that the League by its intransigence had wrecked the Conference and played the British Government's game to withhold power. The Quaid-i-Azam was denounced as the one stumbling block in the way of attainment of India's freedom. A close analysis of the British proposals would show that it was not India's freedom but the prospect of Hindu domination at the cost of Muslim interests that had been thwarted by his firm and courageous stand. It is true that this British plan for an interim provisional Government had two features to commend itself—firstly, it envisaged parity between Caste Hindus and Muslims (though not between non-Muslims and Muslims as the Muslim League had all along demanded); secondly, the provisional government was to be formed and was to work within the framework of the existing constitution without prejudice to the essential form of the future permanent constitution or constitutions. The meaning and intention of these proposals were obvious. The Caste Hindus and Muslims were regarded as two separate political entities, otherwise there

was no point in specifying their separate quotas. As such the Muslims to be included in the Council should have been those who could legitimately be regarded as representatives of the Muslim political entity and non-Muslims who were members of heterogeneous bodies claiming to represent but not really representing the solid body of Muslims. But neither the British Government nor the Congress were willing to implement this provision in its true spirit.

The second provision about the Executive Council working within the framework of the existing constitution, without prejudice to the pattern of the future constitution or constitutions, was all right as far as it went. It meant that the provisional government would not be responsible to the existing Hindu-dominated legislature and the possibility of more than one constitution in future was visualised. But there was no guarantee whatever for the satisfaction of Muslim aims and aspirations regarding the future constitutional arrangements in case no agreement was reached within the Council as seemed quite likely. In the absence of agreement the provisional government, dominated by the Hindus, would continue indefinitely which would do no harm to the Hindu position but seriously prejudice and, indeed, damage the Muslim position.

A brief reference to the policy consistently followed by the Muslim League in regard to constitutional developments since the outbreak of the War would help clarify the issues involved. The League had repeatedly offered to co-operate in the war effort on the basis of a share in the power and responsibility of the Government. It had always been prepared to consider any proposal for an interim provisional government on two conditions—first, a declaration giving the Muslims the right to self-determination; second, equality of status for the Muslims *vis-a-vis* the non-Muslims in the interim arrangement. Unlike the Congress demand for immediate declaration of independence there was no demand for immediate creation of Pakistan nor did the League ask for anything which involved unfairness towards the non-Muslim communities. There was no reference whatever to the Muslim right to self determination in the Wavell

proposals. As for representation in the proposed Council, instead of an equal status the Muslim representation was reduced to one-third. There was provision for other minorities, but it was evident that these minorities were not in a position to form states of their own in any contiguous territory. In spite of differences on other issues they would side with the Congress on the cardinal issue of partition. The Congress would thus be assured of a permanent majority which they could freely use to further their ends and consolidate their position in the absence of any safeguard stipulating a specified majority for the taking of decisions on subjects of major importance in the proposed Council. Even with regard to the Muslim quota amounting to no more than one-third of the Council, both the Congress and the Glancy-Khizar "combine" of the Punjab had claimed seats out of it, and the League, representing as it did the solid body of Muslims, was not to be allowed to nominate all the Muslim representatives. It was thus clear that there would have been no safety whatever for the Muslim interests, either on the short-term basis or the long-term basis, under the arrangements envisaged in the Wavell plan.

The Quaid-i-Azam in a statement at a press conference on 14 July put the whole position succinctly but clearly in the following words: "I know that in his [Lord Wavell's] broadcast he said that these proposals are without prejudice and do not prejudge the Pakistan issue, yet the Plan in fact contradicts this in the next breath by its very terms. It is obvious to any intelligent man that if we accept this arrangement the Pakistan issue will be shelved and put in cold storage indefinitely, whereas the Congress will have secured under this arrangement what they want, namely, a clear road for their advance towards securing Hindu national independence of India, because the future Executive will work as a unitary government of India, and we know that this interim or provisional arrangement will have a way of settling down for an unlimited period, and all the forces in the proposed Executive plus the known policy of the British Government and Lord Wavell's strong inclination for a united India

would completely jeopardise us."[6] The Quaid-i-Azam proceeded to quote a passage from the speech of the Secretary of State, Mr. Amery, which showed how the British policy was weighted in favour of the Congress and the Hindus and gave "cold comfort" to the Muslims. It is as follows: "The ideal to which we have always looked is that of an All-India Union in which the States would play their full part. At the same time we have also recognised the possibility that agreement between Hindus and Muslims on any form of Indian unity may be unattainable. Any interim advance, therefore, must in no way prejudge the question whether the ultimate settlement is based on a united or a divided India."[7] In fact, however, the interim arrangement embodied in the Wavell plan did prejudice the constitutional issue in favour of the Hindu majority and against the Muslims.

Much was made of the presence of a few Muslims in the Congress ranks, and it was contended that the League's claim to be the representative body of the Muslims was untenable. It was pointed out by the Quaid-i-Azam that since its reorganisation in 1937 the League had undoubtedly won the support of the overwhelming majority of Muslims all over the country which was indicated by the trend of the by-elections to the Central and Provincial legislatures. In this connection the figures given by an independent British observer, Sir Reginald Coupland, who made a special study of Indian political and constitutional developments, may be reproduced. Between 1937 and 1943, of the sixty-one by-elections to the Muslim seats in the various Provincial Assemblies the League won 47, independent Muslims four, and Congress Muslims only 2, and in by-elections to Muslim seats in the Central Legislature the League won all the 7 seats. The results of the by-elections between 1937 and 1945 were even more revealing—of the by-elections to Muslim seats in the Provincial Assemblies the League won 8, independent

6. Jamil-ud-Din Ahmad, *Speeches and Writings of Mr. Jinnah*, Vol. II, published by Shaikh Muhammad Ashraf, Lahore, pp. 275-6.

7. Ibid., pp. 276-7.

Muslims 3, Congress Muslims none ; further the League won all the four by-elections to Muslim seats in the Central Legislature. In his book *India—a Restatement*, Sir Reginald Coupland recognises that the League's case was not so weak as to make it possible for Lord Wavell to override it, and gives a summary of the case containing the following remark : "The fact that the Muslim League is backed by the great majority of Indian Muslims is proved by the number of Muslim seats it holds in the legislatures and by the consistent result of by-election."[8] As has been mentioned before, the Congress leaders on this occasion, throwing all their vaunted principles and claims to the winds, tried their level best to get on the right side of the Viceroy and even to reach some sort of a secret understanding with him. They even began to talk of distribution of portfolios among themselves, Mr. Nehru being marked for the portfolio of Foreign Affairs and Maulana Azad for Home Affairs. In the course of the Conference there had been correspondence between the Viceroy and the Presidents of the Congress and the Muslim League. While the Quaid-i-Azam promptly published his correspondence so as to set at rest all rumours and speculations, the Congress President, Moulvi Abul Kalam Azad, withheld his correspondence. The Quaid-i-Azam in a statement took exception to this secrecy and demanded publication of the Wavell Azad letters, emphasising that the elementary sense of duty and responsibility should make the Congress President realise that he owed it to the public to release the correspondence, so that the whole truth might be placed before the bar of public opinion.

Moulvi Azad took shelter behind the plea that the Viceroy had given a ruling against publication of the correspondence. But if the Wavell-Jinnah correspondence was allowed to be published, why could not the Wavell-Azad correspondence be released ? This raised suspicions about what transpired between the Viceroy and the Congress leaders, as is evident from the following statement of Dr. Pattabhi Sitaramayya, a member of

8. R. Coupland, *India—Restatement*, Oxford University Press, 1945, p. 254.

the Congress Working Committee : "The Viceroy had told the Congress President at the outset that no single party or leader would be allowed to torpedo the Conference out of wilfulness that bore an analogy to the Cripps offer of Cabinet Government in Sir Stafford Cripps' interview with the Congress President. In both these cases the representatives of Britain went back on their words."[9] This shows that there was some secret understanding between the Viceroy and the Congress behind the back of the Muslim League and that is why the Wavell-Azad correspondence was not published.

Another fact that might be mentioned in this connection is the fawning attitude of the Congress leaders, particularly Moulvi Azad, towards the Viceroy. In his book *Indian Wine Freedom* Moulvi Azad describes with an air of pride and satisfaction how Lord Wavell showed him extraordinary consideration by inviting him to stay in a cottage in the Viceregal estate, while other leaders stayed in hotels or elsewhere. On the contrary, the Quaid-i-Azam did not even avail himself of Government hospitality to stay in a hotel at Government expense as the other leaders did; he paid out of his own pocket the expenses of his stay in the hotel. The unbiased reader can draw his conclusion as to who was close to the British authorities.

The part played by Moulvi Abul Kalam Azad at the Conference evoked the strongest condemnation from Muslim India. When he left Simla for Calcutta, Muslim crowds demonstrated against him at railway stations all along the way including Aligarh.[10] The Muslims of Calcutta showed their resentment by removing him from Imamat (leadership) of Eid congregational prayers.

The final outcome of the Conference was summed up by the Quaid-i-Azam in his inimitable style as follows: "On a final

9. Jamil-ud-Din Ahmad, op. cit., p. 291.

10. The author remembers having seen a letter written by Sir Maurice Hallett, Governor of U.P., to Dr. Ziauddin Ahmad, Vice-Chancellor of Aligarh Muslim University, taking exception to the Aligarh students taking part in this demonstration, which completely demolished his pretensions as a leader.

examination any analysis of the Wavell Plan we found that it was a snare. There was the combination consisting of Gandhi-Hindu Congress, which stands for India's Hindu national independence as one India and the latest exponent of geographical unity, Lord Wavell, and Glancy-Khizr who are bent upon creating disruption among the Mussulmans in the Punjab, and we were sought to be pushed into this arrangement, and if we had agreed to it, as proposed by Lord Wavell we would have signed our death-warrant."[11]

By saving the Muslim nation from the snare the Quaid-i-Azam paved the way for carrying on the struggle for Pakistan to a successful conclusion.

List of names submitted by the Congress for the formation of the Executive Council:

1. Moulvi Abul Kalam Azad (Congress-Muslim)
2. Mr. Asaf Ali (Congress-Muslim)
3. Pandit Jawaharlal Nehru (Congress-Hindu)
4. Sardar Vallabhbhai Patel (Congress-Hindu)
5. Dr. Rajendra Prasad (Congress-Hindu)
6. Mr. M. A. Jinnah (Muslim League)
7. Nawab Muhammad Ismail Khan (Muslim League)
8. Nawabzada Liaquat Ali Khan (Muslim League)
9. Dr. Shyama Prasad Mukerji (Hindu Mahasabha)
10. Mr. Ganganvihari Mehta (Hindu pro-Congress)
11. Mr. Radhanath Das (Scheduled Caste pro-Congress)
12. Mr. Muniswami Pillay (Scheduled Caste pro-Congress)
13. Sir. Ardeshir Dalal (Parsi)
14. Rajkumari Amrit Kaur (Congress-Christian)
15. A Sikh to be nominated later.

In the Executive Council of the Congress's conception the Muslim League would have had one-fifth representation.

11. Jamil-ud-Din Ahmad, op. cit., pp. 274-5.

CHAPTER 2

GENERAL ELECTIONS

1945-46

"The Simla Conference afforded a last opportunity to the forces of nationalism to fight a rearguard action to preserve the integrity of the country, and when the battle was lost the waves of communalism quickly engulfed it. Only the Hobson's choice of partition was left"[1]—thus laments Mr V.P. Menon in his book *The Transfer of Power in India* over the Congress's failure to coerce or cajole the Muslim nation into acceptance of Hindu hegemony over the entire subcontinent. He speaks of a nationalism which never conformed to any rational definition of nationalism and was only a mask for covering designs of subjugating non-Hindu elements. He refers to the genuine Muslim struggle for freedom as "communalism," a charge which is disproved by the facts of recent history. The "two-nation" fact, not theory, is recognised by the well-known British writer, Lumby, in his book *The Transfer of Power in India* as follows: "These two movements (Hindu and Muslim renaissance) had a double significance. First, they showed that the traditional cultures of India had had time to formulate their characteristic reactions to Western penetration. Secondly, they served to underline the fact that the Hindu and Muslim communities, though so largely of the same racial origins, had developed different and distinctive characters. The Muslims of India had passed the only really valid test of nationality—they were a nation because they profoundly believed themselves to be one."[2]

1. V. P. Menon, *The Transfer of Power in India*, Orient Longmans, 1957, p. 215.

2. E.W.R. Lumby, *The Transfer of Power in India*, London, p. 259.

The main cause of the breakdown of the Simla Conference was the unwillingness both of the British Government and the Congress to recognise the Muslim League's claim to represent the Muslims of India. There was no doubt that the Muslim League, since its reorganisation in October 1937, had won the support of the overwhelming majority of the Muslims. This position, however, was not reflected in the legislatures which had been elected early in 1937 and had by 1945 become outmoded and unrepresentative. The Working Committee of the League, at its meeting on 14 July 1945, called for fresh elections to the Central and Provincial Legislatures, as important questions awaited solution, which in its opinion could only be properly dealt with by representatives reflecting the opinion and sentiment of the people. The Quaid-i-Azam in a statement dated 16 July advised the Muslims "to concentrate all their might in organising our people and getting ready to face the elections which are bound to come earlier than many people think".[3] Later in the course of a speech on 6 August he declared, "Let us go ahead with measures for a permanent constitutional settlement. Pakistan must be decided if the issue of freedom and independence of India is to be decided. We will never surrender the issue of Pakistan to anybody as our claim is a just and righteous one and is the only solution for India. We want to fight the elections so that they may once for all convince those who doubt our representative character."[4]

By this time general elections had been held in England which brought the Labour Party into power. Sir Stafford Cripps, one of the leading Ministers in Mr. Attlee's cabinet, expressed the view that the failure of the Simla Conference was due not so much to the composition of the Interim Government as to the influence that any temporary arrangement was likely to have upon the more permanent decisions which would have to be made for the full and free self-government of India. He said,

3. Jamil-ud-Din Ahmad, *Speeches and Writings of Mr. Jinnah*, Vol. II, pp. 280-1.

4. Ibid., p. 285.

"It is far better to expedite the means of arriving at a permanent settlement in which the question of Pakistan must form a major issue. It would not be right to allow any minority, however large and important, to hold up the attainment of self-government in India, any more than it would be right to force the Muslim majority provinces into a new constitutional arrangement to which they took fundamental objection."[5]

So on 21 August the Viceroy, Lord Wavell, made two announcements—first, that elections to the Central and Provincial Assemblies would be held in the cold weather, and, second, the Viceroy would shortly proceed to England for consultations with His Majesty's Government. On 24 August he left for London where he had discussions with the Secretary of State for India and other Ministers on constitutional questions. Returning to India on 16 September, Lord Wavell made an announcement on 19 September expressing His Majesty's Government's determination to do their utmost to promote, in conjunction with the leaders of Indian opinion, the early realisation of full self-government in India. The announcement stated *inter alia:* "It is the intention of His Majesty's Government to convene as soon as possible a constitution-making body, and as a preliminary step they have authorised me to undertake, immediately after the elections, discussions with the representatives of the Legislative Assemblies in the provinces, to ascertain whether the proposals contained in the 1942 Declaration (Cripps plan which provided for non-accession of provinces to the Indian Union) are acceptable or whether some alternative or modified scheme is preferable. . . . His Majesty's Government have further authorised me, as soon as the results of the provincial elections are published, to take steps to bring into being an Executive Council which will have the support of the major Indian parties."[6]

The Government of India and the Provincial Governments started preparations for holding the elections. It was decided that elections to the Legislative Assembly at the Centre would be

5. Ibid., p. 287.
6. V. P. Menon, op. cit., p. 219.

held first to be followed by elections to the Provincial Assemblies. The Muslim League announced that it would fight the elections on two clear-cut issues—Pakistan is the national demand of the Musalmans of India, and the Muslim League is their representative organisation.

The attitude adopted by the Congress at the Simla Conference proved an eye-opener for "nationalist" Muslims many of whom resigned from the Congress, joined the Muslim League and took an active part in the election campaign. Prominent among them were the late Mian Iftikharuddin, former President of the Punjab Provincial Congress Committee, Maulana Daud Ghaznavi and Khan Abdul Qayyum Khan, former Deputy Leader of the Congress Party in the Central Assembly, Chaudhri Muhammad Hasan, leader of the Congress Party in the Punjab Assembly, Malik Lal Khan, a former President of the Punjab Provincial Congress Committee, Mr. P.K. Mohiuddin Kutty, President of Kerala Provincial Congress Committee, Mr. Ali Haider Khan, former Minister in the Congress Cabinet of Assam, Mr. Danial Latifi, a prominent communist member of the All-India Congress Committee, Mr. Abdul Hamid, former Minister in the Congress Cabinet of Assam.

In a telegram to the Quaid-i-Azam, dated 16 August 1945, Khan Abdul Qayyum Khan said : "I beg to communicate to you what I consider to be the most momentous decision of my life ...I have decided to join the Muslim League. I believe that the stand taken by you is absolutely correct and that any Muslim who opposes you is betraying the cause of Islam in India. I am now awaiting your orders and will do as I am told."[7]

There was a feeling even among the handful of Muslim members of the All-India Congress Committee that something had to be done by the Congress to reassure the Muslims regarding their future. When a resolution on the Congress policy in regard to future constitutional developments came up before the All-India Congress Committee some Muslim members led by

7. *Why I joined the Muslim League*, published by All-India Muslim League, 1946, p. 4.

Mian Iftikhar-uddin and Dr. K.M. Ashraf attempted to move an amendment conceding the right of self-determination to Muslim-majority areas, but they were rebuffed and their attempt failed. On the other hand, the Congress leaders made very strong speeches declaring their resolve that they would not make any approach to the Muslim League and would directly contact the Muslim masses. As Mian Iftikhar-ud-Din said in his press statement of 25 September 1945, Sardar Vallabhbhai Patel "clearly stated that anyone who believes in the right of self-determination for the Muslim zones and is an advocate of Congress-League settlement has no place in the Congress." Mian Iftikhar-un-Din averred that to deny the right of self-determination to the Muslims is to deny them freedom in a free India. Like the Bourbons of old the Congress leaders had learnt nothing and forgotten nothing. As things turned out, they could not keep up their brave resolve.

Soon after the announcement about the holding of general elections the Muslim League started preparations to contest them. The League's position in 1945 was entirely different from what it had been at the time of the previous elections early in 1937. It was now well established as a mass organisation with branches in every province, district, city, tehsil, and even villages. The League had its Central and Provincial Parliamentary Boards charged with the duty of selecting party candidates and organising and conducting the election campaign. It was a colossal undertaking which required large sums of money. The Quaid-i-Azam's appeal for funds met with generous and enthusiastic response from all sections of Mussulmans. All contributed—the rich from their plenty and the poor from their poverty—as a measure of national duty. In forwarding their contributions the poor Muslims wrote moving letters to the Quaid-i-Azam offering to sacrifice their lives, if need be, for the national cause. They realised that a constitutional battle was going to be fought which, once for all, would decide the future destiny of the Muslim nation. Using a figure of speech, the Quaid-i-Azam in his characteristic style told the Mussalmans, "Give us the silver bullets and we will finish the job".

The elections to the Central Legislative Assembly were held towards the end of December. The most spectacular outcome of these elections was the resounding victory of the Muslim League which won all the thirty Muslim seats. The Congress did not officially put up any candidates for these seats, although they claimed to be a "national" body representing the Muslims as well as the Hindus. The other "nationalist" Muslim candidates in many cases lost their deposits. The most bitterly contested election was in Meerut division where Mr. Liaquat Ali Khan defeated a Congressite Muslim candidate who was backed by the finances and propaganda machinery of the Congress. Of the General, in other words mainly Hindu, seats, the Congress won 57 out of 62 seats. The League's success, thus, was even more impressive than that of the Congress. Referring to the League's cent-per-cent success, the Quaid-i-Azam remarked that it had made rapid strides during the past five or six years, so much so that Britain, America and other powers realised that it was the only authoritative body of the 100 million Mussalmans of India.

On 4 December the Secretary of State for India came out with a statement to the effect that the full significance of the proposals contained in the Viceroy's announcement of 19 September had not been properly appreciated, that the holding of discussions for the setting up of a constitution-making body after the elections was not intended to delay matters; on the other hand His Majesty's Government regarded the setting up of a constitution-making body by which Indians would decide their own future as a matter of great urgency. The statement also expressed Government's intention to send out to India a Parliamentary delegation drawn from all parties, so that they could meet leading political Indian personalities in order to learn their views at first hand as also to convey the general desire of the people of England that India should speedily attain her rightful position as an independent partner in the Commonwealth of Nations.

In his comments on this statement on 10 December the Quaid-i-Azam said that the Labour Government still seemed to be in the dark as to the real crux of India's constitutional problem

and were trying to seek light through this circuitous method. He declared that Muslim India would never accept any method of framing the constitution of India by means of one constitution-making body for all India in which the Mussalmans will be in a hopeless minority ; further any attempt to set up a provisional government at the Centre which prejudiced or militated against, the Pakistan demand would not be acceptable to the Mussalmans as it would be the thin end of the wedge. He called upon the British Government to face realities and facts and apply their mind definitely to the division of India and establishment of Pakistan and Hindustan which meant freedom for both Hindus and Mussalmans, whereas a united India meant slavery for Mussalmans and complete domination of imperialistic caste Hindu raj throughout the subcontinent.

The Parliamentary Delegation arrived in India on 5 January 1946 and toured the country for about a month. The Secretary of State for India in his letters to the Presidents of the Congress and the Muslim League stated that the purpose of the Delegation was to make personal contacts ; they were not empowered to act on behalf of the British Government, but their impressions would be passed on by them to Ministers and others in Parliament. In his talks with the Delegation the Quaid-i-Azam explained the League's stand with regard to the constitutional developments. The League would take no part in an interim government without a prior declaration accepting the principle of Pakistan and parity with other parties, there should be two constitution-making bodies which would decide the question of frontier between Hindustan and Pakistan through negotiations, relations between the two countries would be diplomatic; any attempt to impose a unified constitution or a majority decision by a single constitution-making body would be resisted.

In his address to the newly elected Central Legislature on 28 January 1946 the Viceroy, Lord Wavell, expressed Government's determination to establish a new Executive Council composed of political leaders and to bring about a constitution-making body or convention as soon as possible. Commenting on the Viceroy's address the Quaid-i-Azam said that there was no

reason now to talk of any arrangement to set up an interim government; the war had come to an end and they had to tackle the main issues which would result in a permanent settlement of India's constitutional problems. He referred to Sir Stafford Cripps' observation that it was far better "to expedite means of arriving at a permanent settlement in which the question of Pakistan must form a major issue." The Quaid-i-Azam also made it clear that the League would never agree to one constitution-making body which would be perfectly futile, as the preliminary and paramount issue in such an assembly would be the division of India on which there could be no agreement and no decision could be forced by the Hindu majority on the Muslims.

Elections to the Provincial Assemblies were held in February 1946. The League was faced with a formidable task. It had to contend with several hostile elements—the Congress with its mighty organisation, propaganda machinery and finance; the "quisling" Muslim groups encouraged by the Congress, and last but not least the Unionists in the Punjab—a group of powerful landlords and moneyed classes enjoying the blessing and support of the British authorities. The League in conducting its election campaign had only one asset—a band of sincere and devoted workers, imbued with missionary zeal to fight for the national cause. The vanguard of this army of voluntary workers was composed mostly of men drawn from the poor classes and students of colleges and Universities, particularly those of Aligarh, Lahore, Culcutta and Dacca. At Aligarh a special training centre was organised by the University Branch of the Muslim League which sent out over 1000 workers to different provinces. The most decisive election battle was fought in the Punjab which was the cornerstone of the edifice of Pakistan. Here a mighty combination of feudal landlords, militant Akali Sikhs and Hindu banias (usurious money-lenders) backed by the British authorities resorted to every conceivable method of corruption, graft, intimidation and coercion to force Muslim voters to vote for Unionists against their will. All such attempts failed in the face of the awakened national consciousness of the Muslims.

A noteworthy feature of the elections in the province of

Bengal was the voluntary withdrawal of Khwaja Nazimuddin from elections in order to eliminate the possibility of dissensions inside the Muslim League Parliamentary Party and to ensure solidarity in the ranks of the Muslim League. He and his followers worked zealously for the success of the League candidates with the result that the League captured 95% seats in Bengal.

The breakdown of the seats won by the Muslim League province-wise is as follows: Assam 31 out of 34; Bengal 113 out of 119 ; Punjab 79 out of 86 ; Bihar 34 out of 40 ; U.P. 54 out of 66; N.-W.F.P. 17 out of 38 ; Sind 28 out of 35 ; later in the second general elections held in December 1946 the position went up to 35 out of 35; Bombay 30 out of 30; Madras 29 out of 29 ; C.P. 13 out of 14 (the remaining member later joined the League); Orissa 4 out of 4. The League thus won 440 out of a total of 495 seats, i.e. 88·8%. It is, however, regrettable that the U.P. Muslim League which had given the lead in the earlier days of reorganisation of the Muslim League did not fare as well as the other Provincial Leagues in the general elections. It may be noted that except for N.-W.F.P. very few seats were won by Congress Muslims; independents and some splinter Muslim groups won a few seats. In N.-W.F.P. also the position changed radically in favour of the Muslim League within a year. There was no manner of doubt that the League had proved its claim to be the representative body of the Muslims of India. As Penderel Moon says in his book *Divide and Quit*, "Jinnah's claim to speak for the Muslims had been triumphantly vindicated."[8] Professor L.F. Rushbrook-Williams, author of the book *The State of Pakistan*, also testifies to the strength and status of the Muslim League as follows : "The *Times* consistently warned British public opinion that it would be dangerous to under-estimate the strength of the movement which he [Mr. Jinnah] was heading for the creation of a separate Muslim State. This point of view was amply justified by the success of Mr. Jinnah and the Muslim League—which he now

8. Penderel Moon, *Divide and Quit*, London, p. 43.

completely controlled—in the new elections which were held in 1945."[9]

The ratios of the Muslim populations in Bengal, the Punjab and Sind were 55%, 57% and 80%, respectively. Due to the heavy weightage given to non-Muslim minorities, however, the Muslim representation in the legislatures of these provinces had been reduced to 47·6%, 48% and 58%, respectively. The League was thus placed in a very difficult position so far as formation of Ministries was concerned.

In Sind the League having a slight overall majority could form a Ministry on its own strength. In Bengal it was able to form a Ministry with the co-operation of some independent and Scheduled Caste Hindu members who were given due representation in the Cabinet. So far as the Punjab was concerned, the League, as the single largest party, was, according to established practices and conventions of the parliamentary system, entitled to receive the first commission to form the Ministry. The leader of the Muslim League party, if he had received the commission, was sure to form the Ministry with the support of some independent and non-Muslim members. But here a number of hostile forces—the Congress, the Akali Sikhs, the defeated and discredited Unionist coterie and the British Governor—combined and made a deliberate and determined attempt to deprive the Muslim League of the fruits of its victory, in other words, to keep the Muslim majority out of its legitimate share in administration. Contrary to parliamentary practice, the Governor, Sir Bertrand Glancy, instead of commissioning the leader of the Muslim League party, waited and gave a long rope to the minority groups to band themselves together by promises of loaves and fishes of offices to achieve a nominal over-all majority in the Assembly. They found in Malik Khizr Hayat Khan a willing instrument to further their designs. With the blessing and tacit support of the Governor a "rump" Ministry was formed which presented the strange spectacle of a combination of minority elements ruling a Muslim-majority

9. L.F. Rushbook-Williams, *The State of Pakistan*, Faber and Faber, London, 1962, p. 25.

province to the exclusion of the party representing the overwhelming majority of the Muslims. A Ministry brought into office with such sinister motives could not stand the test of time and, within a year, was swept out by the pressure of popular resentment.

In his book *India Wins Freedom* Moulvi Abul Kalam Azad, who conducted negotiations on behalf of the Congress with other parties, takes pride in having manoeuvred to keep the League out of any share in power and to bring the Punjab under a Congress-dominated government. With regard to formation of Ministries the Congress had claimed to stand by three principles—(1) it should have a majority in the legislature concerned; (2) it would not work with a party which does not subscribe to its policy and programme; (3) it would have no truck with reactionary groups. In the Punjab, however, the Congress jettisoned all these principles because of its implacable hostility towards the Muslim League and descended to the level of accepting office under the leadership of the most discredited and reactionary element in Indian political life—a group of seven Unionist Muslim members who owed loyalty to the British Government and did not subscribe to the Congress policy and programme. The Congress did not command a majority in the legislature and its nominees in the Ministry were only Hindus which was not in keeping with its claim to be a "national" body.

Moulvi Abul Kalam Azad's role in this episode proves the contention that the quisling Muslims did the greatest harm to Muslim interests and were a great hindrance in the way of friendly understanding and amicable settlement between Hindus and Muslims. Mr. Liaquat Ali Khan rightly observed: "No single individual has done greater harm to the cause of Muslims in India during the last nine years than Rashtrapathi Azad. He has done everything that human ingenuity could think of to create disruption amongst the Muslims and their unity and solidarity."

10. Abdul Wahid Khan, *India Wins Freedom—The Other Side*, Karachi, 1961, p. 211.

As Moulvi Azad himself admits, a section of Hindu leaders of the Congress including Mr. Nehru was in favour of Congress co-operation with the League instead of the Unionists. If a League-Congress *entente* had been established in the Punjab it is reasonable to surmise that the calamities which befell East Punjab and the neighbouring areas a year later would have been mitigated, if not altogether avoided. Even a British author, Penderel Moon, no friend of the Muslim League, is constrained to observe : "Now for the first time on the eve of independence a predominantly non-Muslim Government was being installed in power. . . . Not only the League but the whole Muslim community felt out-raged and affronted. This unnatural and unholy alliance seemed to have been designed, with the connviance of the British Governor, simply to keep them from power. It was an example of just the thing that Jinnah always feared and that had prompted the demand for Pakistan. In a united India the wily Hindus would always succeed in this manner in attaching to themselves a section of the Muslims and using them to defeat the larger interests of the community. It was amazing that the Governor acquiesced without the slightest struggle in the formation of a Ministry so harmful to public interests."[11]

11. Penderel Moon, op. cit., p. 77.

CHAPTER 3

THE CABINET MISSION

After the provincial elections were over, the British Government announced that in view of the paramount importance of a successful outcome of discussions with leaders of Indian opinion it had decided to send out to India a special mission consisting of three Cabinet Ministers to seek an agreement with those leaders on the principles and procedure relating to the constitutional issue. The members of the Mission were: Lord Pethick-Lawrence, Secretary of State for India, Sir Stafford Cripps, President of the Board of Trade, and Mr. A.V. Alexander, First Lord of the Admiralty. In the course of a debate in Parliament on 15 March 1946 Prime Minister Attlee said that the Cabinet Mission was going to India in a "positive mood" with the intention of using their best endeavours to help India to attain freedom as speedily as possible. He added: "We are mindful of the rights of the minorities and the minorities should be able to live free from fear; on the other hand, we cannot allow a minority to place their veto on the advance of the majority."[1] This remark naturally evoked sharp criticism from the Quaid-i-Azam who explained the issue by quoting a simile: "Says the spider to the fly: 'Walk into my parlour,' and if the fly refuses, it is said the veto is being exercised and the fly is being intransigent."[2] The Quaid-i-Azam reasserted that the Muslims of India were a nation and self-determination was their birthright. If the expression that "the Cabinet Mission is going in a positive mood" meant that "we are resolved

1. V. P. Menon, *The Transfer of Power in India*, pp. 234-5.

2. Jamil-ud-Din Ahmad, *Speeches and Writings of Mr. Jinnah*, Vol. II, p. 277.

that a machinery shall be set up" by way of a single constitution-making body or Constituent Assembly, then it was futile for Mr. Attlee to say in the next breath, "We seek utmost co-operation of all Indian leaders to do so." On the arrival of the Cabinet Mission in New Dehli on 24 March 1946, the Secretary of State for India tried to remove the misgivings created in the minds of the Muslims by Mr. Attlee's ill-advised remarks. He observed that "While the Congress are representative of large numbers it would not be right to regard the Muslim League as merely a minority political party—they are in fact majority representatives of the great Muslim community."[3]

The Quaid-i-Azam took a momentous step in calling a convention of the newly elected Muslim members of the Central and Provincial Legislative Assemblies. It was held on the grounds of Anglo-Arabic College, Dehli, on 8 and 9 April 1946 and was attended by over 500 Muslim legislators. It was an unprecedented gathering in the annals of Muslim India. In his opening speech the Quaid-i-Azam laid threadbare the implications of the Congress demand for transfer of power without any settlement of the Pakistan issue. He said : "If you reduce this Congress formula it comes to this : that the British Government must first grant independence and hand over the machinery of the Government—both civil and military—to the Congress by way of setting up a national government of their conception and stand aside. When they are fully saddled in that power and authority they will proceed to form a constitution-making body with sovereign authority which will finally decide the fate of four hundred millions of people inhabiting this vast subcontinent. Then according to Pandit Nehru the various communities and groups must submit to the decision or fight, and then the reality comes into the picture."[4] He warned Britain against being "stampeded by the threat of bloodshed which is more a bluff than a reality," for he

3. V. P. Menon, op. cit., p. 236.

4. M. Ashraf, *Cabinet Mission and After*, Sh. Muhammad Ashraf, Lahore, 1946, p. 22.

declared: "this time Muslim India is going to play its part and face all dangers. It is going to play its part and face all dangers."[5] He concluded with the following historic words:

If any interim arrangement and constitution is forced upon us, we have no other course open to us, but to resist it in every way possible. I am sure I say this on behalf of all of you that we are prepared to sacrifice anything and everything but we shall not submit to any scheme of Government prepared without our consent. And if the British go to that length they will be guiltv of the grossest breach of faith and the solemn assurances that they gave us when they wanted our blood and money in the midst of war by their declaration of August 1940. It will be the last straw on the camel's back and we shall bear it with courage and determination and resist it by every means if they betray us. God is with us because our cause is righteous and our demand is just to both Hindus and Muslims inhabiting this great subcontinent, so we have nothing to fear. Let us march forward with complete unity amongst ourselves as disciplined soldiers of Pakistan.[6]

On 9 April the convention adopted amid scenes of great enthusiasm the following resolution moved by Mr. H.S. Suhrawardy, then Chief Minister of Bengal:

Whereas in this vast subcontinent of India a hundred million Muslims are the adherents of a faith which regulates every department of their life (educational, social, economic and political), whose code is not confined merely to spiritual doctrines and tenets or rituals and ceremonies and which stands in sharp contrast to the exclusive nature of Hindu Dharma and Philosophy which has fostered and maintained for thousands of years a rigid caste system resulting in the degradation of 60 million human beings to the position of untouchables, creation of unnatural barriers between man and man and superimposition of social and economic inequalities on a large body of the people of this country, and which threatens to reduce Muslims, Christians and other minorities to the status of irredeemable helots, socially and economically;

Whereas the Hindu caste system is a direct negation of nationalism, equality, democracy and all noble ideals that Islam stands for;

5. Ibid., p. 25.
6. Ibid., p. 26.

Whereas, different historical backgrounds, traditions, cultures and social and economic orders of the Hindus and the Muslims have made impossible the evolution of a single Indian nation inspired by common aspirations and ideals and whereas after centuries they still remain two distinct major nations;

Whereas soon after the introduction by the British of the policy of setting up political institutions in India on the lines of Western democracies based on majority rule which meant that the majority of one nation or society could impose its will on the majority of the other nation or society in spite of their opposition as was amply demonstrated during the two and a half years' regime of Congress Government in the Hindu majority provinces under the Government of India Act, 1935, when the Muslims were subjected to untold harassment and oppression as a result of which they were convinced of the futility and ineffectiveness of the so-called safeguards provided in the constitution and in the Instrument of Instructions to the Governors and were driven to the irresistible conclusion that in a united Indian Federation, if established, the Muslims even in majority provinces would meet with no better fate and their rights and interests could never be adequately protected against perpetual Hindu majority at the Centre;

Whereas the Muslims are convinced that with a view to save Muslim India from the domination of the Hindus and in order to afford them full scope to develop themselves according to their genius, it is necessary to constitute a sovereign independent State comprising Bengal and Assam in the north-east zone and the Punjab, North-West Frontier Province, Sind and Baluchistan in the north-west zone;

This Convention of the Muslim League Legislators of India, Central and Provincial, after careful consideration hereby declares that the Muslim nation will never submit to any constitution for a united India and will never participate in any single constitution-making machinery set up for the purpose, and that any formula devised by the British Government for transferring power from the British to the peoples of India, which does not conform to the following just and equitable principles, calculated to maintain internal peace and tranquillity, in the country, will not contribute to the solution of the Indian problem:

(1) That the zones comprising Bengal and Assam in the north-east and the Punjab, North-West Frontier Province, Sind and Baluchistan in the north-west of India, namely, Pakistan zones where the Muslims are in a dominant majority, be

constituted into a sovereign independent State and that an unequivocal undertaking be given to implement the establishment of Pakistan without delay.

(2) That two separate constitution-making bodies be set up by peoples of Pakistan and Hindustan for the purpose of framing their respective constitutions.

(3) That the minorities in Pakistan and Hindustan be provided with safeguards on the lines of the All-India Muslim League Resolution passed on the March 23, 1940, at Lahore.

(4) That the acceptance of the Muslim League demand of Pakistan and its implementation without delay are the *sine qua non* for the Muslim League co-operation and participation in the formation of an interim government at the Centre.

This Convention further emphatically declares that any attempt to impose a constitution on a united India basis or to force any interim arrangement at the Centre contrary to the Muslim League demand will leave the Muslims no alternative but to resist such imposition by all possible means for their survival and national existence.

In his speech Mr. Suhrawardy said, "We are a nation and we believe we have something to contribute to the civilisation of the world. But are the British and the Congress prepared to give us Pakistan peacefully and with grace? If not, then, are the Muslims prepard to fight? I have long pondered over these questions. Let me now honestly declare that every Muslim of Bengal is ready and prepared to lay down his life for Pakistan."[7] Turning to the Quaid-i-Azam, Mr. Suhrawardy said, "I call upon you to test us." The same sentiment was expressed by Mr. Khaliquzzaman, leader of the Muslim League Party in the U. P. Assembly, who, addressing the Quaid-i-Azam said, "We will lay down our lives for Pakistan. We are awaiting the order."[8] These utterances reflected the mood of grimness prevailing in Muslim India at the time.

After the adoption of the resolution, Mr. Liaquat Ali Khan, General Secretary of the All-India Muslim League, read out the following pledge:

"In the name of Allah, the Beneficent, the Merciful, say:

7. Ibid., p. 30.

8. Ibid., p. 31.

My prayer and my sacrifice and my living and dying are all for Allah, the Lord of the worlds"—al-Quran.

"I——, a member of the Muslim League Party of the—— Legislative Assembly Council do hereby solemnly declare my firm conviction that the safety and security and the salvation and destiny of the Muslim nation inhabiting the Continent of India lie only in the achievement of Pakistan which is the one equitable, honourable and just solution of the constitutional problem and which will bring peace, freedom and prosperity to the various nationalities and communities of this great subcontinent.

"I most solemnly affirm that I shall willingly and unflinchingly carry out all the directions and instructions which may be issued by the All-India Muslim League in pursuance of any movement launched by it for the attainment of the cherished national goal of Pakistan, and, believing as I do in the rightness and justness of my cause, I pledge myself to undergo any danger, trial or sacrifice which may be demanded of me.

"Our Lord, bestow on us endurance and keep our steps firm and help us against the disbelieving peoples"—*Amin*.[9]

The first person to sign the pledge was the Quaid-i-Azam himself. It was then signed by all the Muslim legislators attending the Convention.

In his concluding remarks the Quaid-i-Azam uttered the following prophetic words: "Is Britain going to decide the destiny of hundred million Muslims? No, nobody can. They can obstruct, they can delay for a little while, but they cannot stop us from our goal. Let us, therefore, rise at the conclusion of this historic convention full of hope, courage and faith. *Insha Allah*, we shall win."[10]

The proceedings of the Convention clearly demonstrated that the Muslim League had reached a stage where it would not hesitate to put up a fight to the finish, should constitutional methods finally fail to achieve the legitimate claim of the Muslim nation to full and real freedom.

In the first week of April the Cabinet Mission began a series of interviews with party leaders, other leading personalities

9. Ibid., p. 34-5.
10. Jamil-ud-Din Ahmad, op. cit., Vol. II, p. 287.

and representatives of minorities and special interests. In the discussions the one issue which loomed large was—United India *versus* Pakistan. In his interview with the Mission on 4 April the Quaid-i-Azam explained the whole background of the growth of two separate societies—Hindu and Muslim—which had not fused even though they had existed side by side for centuries. There were in India two totally different and deeply-rooted civilisations and the only solution was to have two steel-frames, one in Hindustan and the other in Pakistan. He contemplated treaties and agreements between the two countries once the fundamentals of Pakistan were agreed upon.

After discussion with various leaders, the Cabinet Mission proceeded to Kashmir for a short rest. They were believed to be working on a three-tier plan, envisaging autonomous provinces and groups of provinces topped by a strictly limited federal centre. This plan was reported to have been broached to the Congress and the Muslim League by Sir Stafford Cripps. Ultimately on 27 April the Secretary of State wrote letters to the Presidents of the Congress and the Muslim League inviting them to send four representatives each to meet the Mission with a view to discussing the possibility of an agreement upon a scheme based on two fundamental principles, viz. (*a*) a Union Government dealing with foreign affairs, defence and communications, (*b*) two groups of provinces, the one predominantly Hindu and the other predominantly Muslim, dealing with other subjects which the provinces in the respective groups desired to take in common, the provincial governments dealing with all subjects and possessing all the residuary sovereign rights. The Congress nominated Messrs. Azad, Nehru, Vallabhbhai Patel and Abdul Ghaffar Khan as its representatives to the Conference. The League's representatives were the Quaid-i-Azam and Messrs. Ismail Khan, Liaquat Ali Khan and Abdur Rab Nishtar. The Conference took place at Simla from 5 to 12 May.

On 8 May, the Secretary of State sent to the Presidents of the Congress and the Muslim League a list of "suggested points for agreement" which are summarised below:

(1) An All-India Union Government and Legislature dealing with foreign affairs, defence, communications, fundamental rights and having the necessary powers to obtain the finances for these subjects.

(2) The remaining powers to vest in the provinces.

(3) Groups of provinces may be formed which could determine the provincial subjects to be taken in common.

(4) Groups may set up their own executives and legislatures.

(5) The Union Legislature to be composed of equal proportions from the Muslim-majority provinces and Hindu-majority provinces whether or not these or any of them have formed themselves into groups, together with representatives of the States.

(6) The Union Government to be constituted in the same proportion as the legislature.

(7) The Union and Group constitutions to have a provision whereby any province by majority vote of its legislature could call for reconsideration of the terms of the constitution after an initial period of ten years and at ten yearly intervals thereafter.

(8) The constitution-making machinery to be formed on the following basis:

(*a*) Representatives to be elected from each Provincial Assembly in proportion to the strengths of the various parties on the basis of one-tenth of the numbers.

(*b*) Representatives to be invited from the States on the basis of their population in proportion to the representation from British India.

(*c*) After a preliminary meeting the Constituent Assembly to divide up into three sections representing the Hindu-majority provinces, the Muslim-majority provinces and the States, respectively.

(*d*) The first two sections to meet separately to decide the provincial constitutions for their group and, if

they so wish, a group constitution.

(*e*) Any province could thereafter decide to opt out of its original group and into the other group or to remain outside any group.

(*f*) The three sections will then meet to settle the Union constitution.

(*g*) No major point affecting the communal issue shall be deemed to be passed by the Assembly unless supported by a majority of both the major communities.

The points suggested by the Mission were discussed at the Conference from 9 to 11 May. The parties then submitted their own plans for the future constitution. The Muslim League presented the following terms by way of an offer for a peaceful and amicable settlement:

(1) Six provinces (Punjab, N.-W.F.P., Baluchistan, Sind, Bengal and Assam) to be grouped together to deal with all subjects except foreign affairs, defence and communications necessary for defence which may be dealt with by the constitution-making bodies of the two groups of provinces, Hindu and Muslim, sitting together.

(2) The above-named six provinces to have a separate constitution-making body for framing constitutions for the Group and its provinces and determining the subjects to be dealt with by the provinces and the Groups, the residuary powers vesting in provinces.

(3) Representatives to the constitution-making body to be so elected as to secure representation to the various communities in proportion to their population in each province of the Pakistan Group.

(4) After the framing of the Group and the provincial constitutions it would be open to any province to opt out of the Group, provided the wishes of the people are ascertained by a referendum on the question of opting out.

(5) The question whether the Union will have a legislature or not and the method of providing the Union with finance to

be decided by the joint meeting of the constitution-making bodies but in no event shall finance be raised by taxation.

(6) The two groups of provinces to have parity of representation in the Union executive and legislature, if any.

(7) No major point in the Union constitution affecting the communal issue shall be deemed to be passed in the joint constitution-making body, unless the majority of members of the two constitution-making bodies, present and voting, are separately in its favour.

(8) No decision, legislative, executive or administrative, shall be taken by the Union in regard to any matter of a controversial nature except by a majority of three-fourths.

(9) In group and provincial constitutions, fundamental rights and safeguards concerning religion, culture and other matters affecting the different communities will be provided for.

(10) The constitution of the Union to contain a provision whereby any province could, by a majority vote of its legislature, call for reconsideration of the terms of the constitution and would have liberty to secede from the Union at any time after the initial period of ten years.

The Congress, on the other hand, put forward the following points as a basis for agreement:

(1) Representatives to the Constituent Assembly to be elected by each Provincial Assembly by means of proportional representation on the basis of one-fifth of the members of the Assembly; representatives from the States to be on the basis of their population in proportion to the representatives from India, the mode of choosing them to be considered later.

(2) The Constituent Assembly to draw up a constitution for a Federal Union consisting of an All-India Federal Government and Legislature dealing with foreign affairs, defence, communications, fundamental rights, currency, customs and planning and such other subjects as, on closer scrutiny, may be found to be intimately allied to them; the Federal Union to have powers to obtain the finances required for these subjects and to raise revenues in its own right; the Union also to have power to take

remedial action in cases of breakdown of constitution and in grave public emergencies.

(3) All the remaining powers to vest in the provinces.

(4) Groups of provinces may be formed and such groups may determine the provincial subjects to be taken in common.

(5) After the framing of the constitution for the Federal Union by the Constituent Assembly representatives of provinces may form groups to decide provincial constitutions for their group and, if they wish, a group constitution.

(6) No major point in the Federal Constitution affecting the communal issue shall be deemed to be passed by the Constituent Assembly, unless a majority of the community or communities concerned, present and voting, are separately in its favour, provided that in case there is no agreement on any such issue it would be referred to arbitration. In case of doubt as to whether any point is a major communal issue the Speaker will decide, or, if so desired, it may be referred to the Federal Court.

(7) In the event of a dispute arising in the process of constitution-making the specific issue shall be referred to arbitration.

(8) The constitution should provide machinery for its revision at any time subject to such checks as may be desired. If so desired, it may be specifically stated that the whole constitution may be reconsidered after ten years.

It will be seen that the League in its earnest desire for a peaceful and amicable settlement had done its best to provide for preservation of a broad Union of the subcontinent without sacrificing essential Muslim interests. The Congress plan, on the other hand, failed to meet the Muslim point of view and was calculated to bring about Hindu domination and Muslim subservience.

The Conference adjourned after a short final session on 12 May. The Mission in a statement announced that, though the Conference had failed, it was their intention to issue a statement in the next few days expressing their views as to the next steps to be taken. On 16 May the Mission came out with a policy statement in which they made certain observations with regard

to the Muslim demand for Pakistan with a view to appeasing the Hindu majority in disregard of Muslim sentiments and claims.

The arguments employed by the Mission merely echoed the Congress objections to Pakistan which had been repeatedly met and refuted. They were, moreover, in conflict with certain admissions made by the Mission itself in the same statement, for instance, (1) "We were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu majority rule"; (2) "This feeling has become so strong and widespread among the Muslims that it cannot be allayed by mere paper safeguards"; (3) "Very real Muslim apprehensions that their culture and political and social life might become submerged in a purely unitary India, in which the Hindus with their vastly superior numbers must be a dominating element"; (4) "If there is to be internal peace in India it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion, economic and other interests."

Professedly with a view to meeting Muslim needs and apprehensions and providing a balanced constitution for all elements of the body politic, the Cabinet Mission came out with an ingeniously conceived plan for a three-tier constitution, envisaging autonomous provinces, groups of such provinces as wanted to take certain subjects in common and a Federal Centre or Union limited to three subjects—Defence, External Affairs and Communications.

The Constituent Assembly was to be formed as follows: (*a*) each province would be allotted a total number of seats proportional to its population, roughly in the ratio of one to a million as the nearest substitute for representation by adult suffrage; (*b*) this provincial allocation of seats would be divided between the main communities in each province in proportion to their population ; (*c*) the representatives allocated to each community would be elected by members of that community in the Provincial Assembly.

Any question raising a major communal issue in the Union Legislature would require for its decision a majority of the

representatives present and voting of each of the two major communities as well as a majority of all the members present and voting. The constitutions of the Union and Groups were to have a provision whereby any province could, by a majority vote of its Legislature, call for a reconsideration of the terms of the constitution after an initial period of ten years and at ten-yearly intervals thereafter.

The crux of the whole Plan, from the Muslim point of view, however, was the provision relating to sections of the constitution-making body and grouping of provinces. It was clearly laid down that after a preliminary meeting of the constitution-making body at which the general order of business would be decided and a Chairman and other officers elected, the provincial representatives would divide up into three sections—A (consisting of Hindu-majority provinces), B (consisting of Muslim-majority provinces in the North-West), and C (consisting of Bengal and Assam). These sections according to para 19 (*v*) of the Plan would "proceed to settle the provincial constitutions for the provinces included in each section and shall also decide whether any Group constitution shall be set up for those provinces and, if so, with what provincial subjects the Group should deal." Provinces would have the power to opt out of the Groups in accordance with the provisions of sub-clause (*viii*), namely, "As soon as the new constitutional arrangements have come into operation it shall be open to any province to elect to come out of any group in which it has been placed. Such a decision shall be taken by the new legislature of the province after the first general election under the new constitution." After the group and the provincial constitutions had been settled the three sections would reassemble together with representatives of Indian States to settle the Union Constitution.

The Cabinet Mission had apparently turned down the demand for Pakistan. This had naturally produced jubilation in the Congress camp but deep resentment in Muslim circles. This feeling is reflected in the following remarks of Mr. Nehru's paper, *The National Harald*: "Pakistan, the Pakistan of Mr. Jinnah's conception, receives a state burial in the document

submitted by the Cabinet Mission. And lest there should be any doubt about its demise or any fear of the possibility of its resurrection, it is emphatically announced that the Cabinet Mission's sentence of death on Mr. Jinnah's Pakistan has already obtained the approval of the British Government."[11] The Congress press, however, forgot that it was not for any earthly power to pronounce sentence of death on a people's genuine urge for freedom. If the demand for Pakistan had really been buried by the Cabinet Mission's Plan, the right course for the Congress was to proceed straightaway to accept and work the Plan and not mutilate it by misinterpretation.

The Congress jubilation, however, was shortlived. As the Quaid-i-Azam in his speech at the meeting of the All-India Muslim League Council held on 6 June 1946 pointed out: "The Congress Press and the Hindus, when they heard these phrases and had this sugarcoated pill that Pakistan was rejected, there was jubilation and, naturally, amongst the Muslims there was the strongest condemnation and resentment. But it was a sugar-coated pill and there was so little sugar that within a short time the Congress Press felt that it was a pill minus sugar."[12]

The Muslim League Council, after rebutting the Mission's arguments against sovereign Pakistan and pointing out the inconsistencies in their Statement, expressed its willingness to co-operate with the constitution-making machinery outlined in the Mission's scheme, prompted by its earnest desire for a peaceful solution and inasmuch as the basis and fundamentals of Pakistan were inherent in the Mission's Plan by virtue of the compulsory grouping of the six Muslim provinces in Sections B and C, in the hope that it would ultimately result in the establishment of complete sovereign Pakistan. Referring to the Muslim League's acceptance of the Cabinet Mission's Plan, the British writer, Lumby remarks, "In spite of Jinnah's insistence that the League's decision was that of the full Council it was naturally and correctly regarded as mainly his work. As at Simla the previous month,

11. Quoted in I. H. Qureshi, *The Struggle for Pakistan*, Karachi, 1965, p. 263.

12. Jamil-ud-Din Ahmad, op. cit., Vol. II, p. 300.

he had shown himself capable of taking a positive and constructive line, thus confounding the critics who alleged that he invariably negatived every proposal which fell far short of his vision of an undefined and impracticable Pakistan, thereby exercising a veto on all constitutional advance. As at Simla too, he had contrived to make a concession without departing in any way from the basic principles of his party."[13]

The reasons for the League's acceptance may, briefly, be summed up as follows: (1) six undivided provinces were included in Sections B and C with a clear Muslim majority; (2) these Sections could, by simple majority, frame both provincial and group constitutions with regard to all but three subjects, and the framing of these constitutions was to precede that of the Union Constitution; (3) the provision relating to major communal issues could be used to safeguard Muslim interests in the Union Assembly and prevent the Union Centre from encroaching on the autonomy of the provinces and groups; (4) the Muslim majority in Sections B and C was in a position to negotiate with the Hindu majority in Section A to ensure safeguards for minorities on reciprocal basis; (5) the whole constitution would be open to revision at the end of ten years which meant, by implication, that the provinces and groups would have freedom to opt out of the Union. This was recognised both by the Cabinet Mission and the Congress. Replying to a question at a Press conference on 17 May whether "reconsideration of the terms of the constitution" included the right to have secession considered, Lord Pethick-Lawrence said: "If you revise the constitution, quite clearly the whole basis of the constitution can be considered again. Any province can ask for a revision of the constitution. And so far as I can see, when that revision is undertaken, all questions in the constitution are open to rediscussion."[14] Even the Congress had to recognise this position, for it said in a note dated 12 May: "It [the constitution] may also contain a provision for its full reconsideration at the end of ten years. The matter will be open then for a complete reconsideration. Though it is implied, we would avoid

13. E.W.R. Lumby, *The Transfer of Power in India*, p. 94.
14. M. Ashraf, op. cit., p. 73.

reference to secession as we do not wish to encourage this idea."[15]

During the protracted negotiations between the Cabinet Mission, the Congress and the Muslim League, it had become clear that the representatives of the Labour Government of U.K. were obviously biased in favour of the Congress and the Hindus. They were anxious to appease even if it meant sacrificing the interests of the Muslims and the minorities. Keeping this difficulty in mind, the Quaid-i-Azam, by skilful negotiations, had extracted the maximum amount of concessions from the Cabinet Mission. If the League rejected outright the compromise plan evolved by the Mission, it would have put itself out of court and there was every likelihood of the British Government transferring all powers to the Congress leaving the Muslims to their fate. It would not have been wise on the part of the League to take upon itself the onus of responsibility for wrecking the Plan and thereby losing whatever sympathy there was for its case in England. The League, therefore, made a tactical move in accepting the Plan, thus putting both the Cabinet Mission and the Congress in a position from which they would find it difficult to wriggle out.

The Cabinet Mission could not now go back on the terms they had themselves laid down. The Congress was taken by surprise as it thought the League would reject the Plan and then it would be plain sailing for the Congress. Apparently the Cabinet Mission did not concede sovereign Pakistan which pleased the Congress circles. But the foundation and germs of Pakistan were implicit in the Plan. The Congress pleasure did not last long, and on realising its implications they began to misinterpret and twist the Plan, particularly the provision about the grouping of provinces. The Congress stand was unjustified and the onus of responsibility for the failure of the Plan thus fell on the Congress as the British Government's statement of 6 December 1946 clearly showed. The League lost nothing. The Congress by its intransigence created a situation which forced even Mr. Attlee's Government to concede outright partition and Pakistan at a later stage.

It is a measure of the Quaid-i-Azam's statesmanship and the

15. Ibid., p. 133.

trust reposed in him by the Muslim nation that he was able to persuade the nation's representatives in the League Council to accept the Plan, even though it outwardly amounted to rejection of the idea of a separate, sovereign Pakistan for which they had been fighting for several years. Even the venerable Lord Pethick-Lawrence, leader of the Cabinet Mission, whose pro-Congress sympathies were well known, had to acknowledge "the substantial and vital concessions" made by the Muslim League in the interest of peaceful settlement, and he paid tribute to the Quaid-i-Azam's "courage and statesmanship" in obtaining the League Council's approval for the Mission's Plan.

The meaning of the provisions relating to sections and grouping was clear and did not lend itself to different interpretations. But the Congress leaders from Mr. Gandhi downwards began to twist and misconstrue the provisions as soon as the statement was out. The Congress Working Committee read the Cabinet Mission's Plan "to mean that in the first instance the respective provinces shall make their choice whether or not to belong to the sections in which they are placed."[16]

Mr. Gandhi's comments were as follows: "The Cabinet Mission's statement is not an award. The Mission had tried but failed to bring the parties together and so they recommended to the country what in their opinion was worthy of acceptance by it. It was open to the Constituent Assembly to vary the proposals, to reject or improve upon them; otherwise the Constituent Assembly could not be a sovereign body. Thus the Mission had suggested certain subjects for the Union Centre; the Constituent Assembly could, if they chose, add to them or reduce them. Similarly it was open to the Constituent Assembly to abolish the distinction of Muslims and non-Muslims which the Mission had felt forced to recognise. As regards grouping, no province could be compelled to join a group against its will."

The interpretations put forward by the Congress Working Committee and Mr. Gandhi was clearly inconsistent with the letter and spirit of the Cabinet Mission's Plan. Sir Stafford Cripps, in a press interview, explained that, firstly, the provision for the

16. V.P. Menon, op. cit., p. 270.

provinces' right to opt out of the Group after the inauguration of the new constitution followed the suggestion put forward by the Congress as regards the provinces and a single federation, e.g. all provinces, should come in at the beginning but could opt out if they did not like the constitution when they had seen it ; secondly, the existing legislatures were not truly representative of the whole population because of the effect of the Communal Award with its weightages. The existing legislatures should, therefore, be discarded and the right of option should be exercised after the first new elections had taken place when there would no doubt be a much fuller franchise and the precise issue could be raised at the election. But evidently what was sauce for the goose was not sauce for the gander. The Congress would not allow provinces to decide, in the first instance, to keep out of a single federation but must insist on the provinces enjoying this right in relation to Groups simply because it could not countenance the idea of Muslim provinces getting together even for a limited purpose.

The Cabinet Mission's statement of 25 May 1946 on this point was even more explicit and left no room for doubt. It stated unequivocally as follows: "The interpretation put by the Congress resolution on paragraph 15 of the statement to the effect that the Provinces can, in the first instance, make the choice whether or not to belong to the section in which they are placed does not accord with the Delegation's intentions. The reasons for the grouping of the provinces are well known, and this is an essential feature of the scheme and can only be modified by agreement between the parties. The right to opt out of the groups after the constitution-making has been completed will be exercised by the people themselves, since at the first election under the new provincial constitution this question of opting out will obviously be a major issue, and all those entitled to vote under the new franchise will be able to take their share in a truly democratic decision."[17]

In spite of these categorical assertions the Congress adhered to its misinterpretations. The Congress Working Committee, by

17. Ibid., p. 271.

its resolution of 25 June, reiterated its objections to the limitation of the central authority and the system of grouping of provinces. In communicating the resolution to the Viceroy the Congress President stated that he and his party accepted the proposals and were prepared to work them *with a view to achieving their objective*, but that they adhered to their own interpretation of some of the provisions of the Statement such as that relating to the grouping of provinces.

The Congress Party in Assam was instigated by the Congress leaders to refuse to join Section C from the very beginning. The Assam Premier, Mr. Gopinath Bardoloi, submitted a memorandum to the Congress Working Committee opposing the grouping of Assam and Bengal. According to Maulana Azad, Mr. Gandhi "gave his support to Bardoloi" and "to the interpretation suggested by leaders from Assam" Mr. Bardoloi even got the Assam Legislature to pass a resolution giving a mandate not only to the Congress members but also Muslim representatives elected by a separate *bloc* of Muslim members to have nothing to do with the "C" Group from the very beginning. This was a deliberate attempt to sabotage a compromise plan.

The Cabinet Mission, in their anxiety to delude the world into believing that they had succeeded in producing an agreed solution of the problem resorted to underhand methods and adopted an ostrich-like posture. The Quaid-i-Azam, in his speech at the meeting of the Muslim League Council in Bombay on 28 July 1946, thoroughly exposed the behind-the-scene activities of members of the Cabinet Mission. He asserted that on the night of 24 June the Congress Working Committee had rejected both the long-term and short-term proposals. To quote his own words, "Early in the morning of June 25, the indefatigable Sir Stafford Cripps went and worked up Mr. Gandhi in the Bhangi Colony. It seems he did not cut much ice. He came back and Lord Pethick-Lawrence was put on the scent of Mr. Vallabbhai Patel, the strong man of the Congress. He waylaid Mr. Patel on the road and took him to his house and there they concocted a device. The Congress was persuaded to accept the

long-term proposal even with their own interpretations and reservations and the Mission assured the Congress that it would abandon the Interim Government Scheme of June 16. It is again like a drowning man catching at a straw. They wanted, somehow or other, to say that their mission was not a complete failure. This is exactly what happened. Now I ask the Viceroy to issue a statement giving a categorical explanation on this point. This is a grave charge against the honour, integrity and character of the members of the Cabinet Mission and the Viceroy."[18] This charge is confirmed by the version of this incident given by Sudhir Ghose in his book *Gandhi's Emissary*. The Quaid-i-Azam's challenge was never answered. Neither the Viceroy nor members of the Cabinet Mission refuted this charge.

If there were any doubts about the Congress's real attitude and intentions in regard to the Cabinet Mission's Plan of 16 May they were effectively set at rest by the speeches and statements of Mr. Jawaharlal Nehru after he had taken over as President of the Congress in July 1946. Mr. Nehru said that as far as he could see it was not a question of the Congress accepting any plan, long or short; it was merely a question of their agreeing to enter the Constitutent Assembly and nothing more than that. He asserted. "We are not bound by a single thing except that we have decided for the moment to go to the Constituent Assembly."[19] Speaking later at a press conference Mr. Nehru said that, in agreeing to go into the Constituent Assembly, the Congress had inevitably agreed to a certain process of going into it, i.e. the election of candidates, "but what we do there we are absolutely and entirely free to determine."[20] He particularly ridiculed and condemned the scheme of grouping and asserted that it would never come to fruition. Even with regard to the limited Union centre of which so much was made

18. Jamil-ud-Din Ahmad, op. cit., p. 313.

19. Quoted in R.C. Majumdar, *History of Freedom Movement*, Vol. III, p. 770.

20. Ibid.

by the Cabinet Mission, Mr. Nehru argued that it would have to be considerably enlarged both as regards functions and powers. He said : "Defence and Communications would embrace a large number of industries necessary for their support. Foreign Affairs must inevitably include foreign trade policy. It was equally inevitable that the Union must raise its finances by taxation rather than by any system of contribution or doles from the provinces. Further, the Centre must obviously control currency and credit and there must be an overall authority to settle inter-provincial disputes and deal with administrative or economic breakdowns."[21]

This was clearly an attempt to go far beyond the terms laid down in the Plan. It became evident as to how the Congress would use its "brute majority" in the Constituent Assembly in disregard of the vital terms and conditions it was supposed to have agreed to.

Mr. Nehru's utterances, which his admiring biographer, Michael Brecher, calls "one of the most fiery and provocative statements in his forty years of public life," were naturally regarded as an outright repudiation of all those basic terms and conditions on which the compromise plan of the Cabinet Mission rested and was supposed to be worked. They constituted such a flagrant breach of faith on the part of the Congress that even British writers, otherwise friendly to the Congress, have felt constrained to criticise it. The remarks of Leonard Mosley, no friend of the Muslim League, in his book *The Last Days of the British Raj*, are pertinent : "It was a compromise plan which obviously could not afterwards be altered in favour of one or the other. In the circumstances Nehru's remarks were a direct act of sabotage."[22] Another writer, Penderel Moon, in his book, *Divide and Quit*, says : "The acceptance [by the Congress of the long-term plan] when it came was qualified and ambiguous."[23] This view of Mr. Nehru's somer-

21. Ibid., pp. 771-2.

22. Leonard Mosley, *The Last Days of the British Raj*, New York, 1961, p. 28.

23. Penderel Moon, *Divide and Quit*, p. 55.

sault on the question of the proposed Constituent Assembly was not confined to informed opinion outside India. The well-known Hindu historian, R. C. Majumdar, in his book *History of the Freedom Movement in India,* criticises as follows: "Unfortunately, at this critical moment, when a peaceful settlement of India's future was almost within sight, it was upset by some indiscreet utterances of Pandit Jawaharlal Nehru. In 1937 his outright rejection of Jinnah's offer of Congress-League Coalition Ministry ruined the last chance of Hindu-Muslim settlement. His observations in 1947 destroyed the last chance—though a remote one—of a free United India."[24]

Even a close friend and colleague of Mr. Nehru, Maulana Azad, about whose loyalty to the Congress it could be said that he was "more loyal than the King" in his book *India Wins Freedom,* characterises Mr. Nehru's stand as "one of those unfortunate events which changed the course of history."[25] Referring to Mr. Nehru's statement that the Congress regarded itself free to change or modify the Plan as it thought best, Maulana Azad says: "I must place on record that Jawaharlal's statement was wrong. It was not correct to say that the Congress was free to modify the Plan as it pleased."[26] Referring to the grouping of provinces, Maulana Azad admits: "The Cabinet Mission had held that the interpretation of the League on this point was correct. Mr. Jinnah argued that it was on the basis of distribution of powers among the Centre, the Provinces and the Groups, that he had persuaded the League to accept the Plan. Assam Congress leaders did not agree and, after some hesitation, Gandhiji, as I have already said, gave his support to the interpretation suggested by the leaders from Assam In fairness, I have to admit that there was foree in Mr. Jinnah's contention."[27] It must, however, be pointed out that the blame did not lie with Mr. Nehru alone. During the crucial tripartite negotiations,

24. R.C. Majumdar, op. cit., pp. 769-70.
25. Abdul Kalam Azad, *India Wins Freedom,* Calcutta, 1958, pp. 154-5.
26. Ibid., p. 155.
27. Ibid., p. 174.

Maulana Azad and other Congress leaders were as much party to the mutilation of the Cabinet Mission's Plan as Mr. Nehru. As the well-known Hindu liberal leader, Sir Chimanlal Setalvad, observes: "The Cabinet Mission's Scheme had been killed by the wobbling and vacillating attitude of one party, the Congress. The cherished boon of a united India had fallen into their lap but they by their own want of political wisdom threw it beyond their reach."[28]

The Muslim League, on the other hand, had accepted the Plan without reservation and had done nothing to provoke this aggressive attitude on the part of the Congress leaders. As Penderel Moon in his book *Divide and Quit* remarks: "Jinnah's acceptance of the scheme had been fairly prompt and was certainly genuine."[29] Naturally the Quaid-i-Azam could not let Mr. Nehru's challenge and threat go unanswered. He characterised Mr. Nehru's statements as a complete repudiation of the basic form upon which the long-term scheme rested and all its fundamental terms and obligations and rights of parties accepting the scheme, and he called upon the British Government to make it clear beyond doubt and remove the impression that the Congress had accepted the long-term scheme. During the debates on the Indian Situation in the House of Lords and the House of Commons the spokesmen of the British Government had the opportunity of making the position clear and removing the wrong impression. But they again showed lack of courage and intellectual honesty and contented themselves with pious expressions of opinion and hope.

The venerable Secretary of State for India, Lord Pethick-Lawrence, affirmed that, while the parties were free to advance their views as to the basis of a future constitution and also as to how the Constituent Assembly should conduct its business, they could not, after having agreed to the Statement of 16 May and the Constituent Assembly elected in accordance with it, go outside the terms of what had been agreed. To do so, he felt, would

28. Sir Chimanlal Setalvad's article in *Times of India*, 15 June, 1947.
29. Penderel Moon, op. cit., p. 155.

not be fair to other parties who came in, and it was on the basis of the agreed procedure that His Majesty's Government had said they would accept the decision of the Constituent Assembly. He acknowledged the substantial and vital concessions made by the Muslim League in the interest of peaceful settlement and paid a tribute to the Quaid-i-Azam's courage and statesmanship in obtaining the Muslim League's approval for the Cabinet Mission's Plan. But these pious expressions, as the Quaid-i-Azam pointed out, failed to provide any effective check or remedy in the event of the Congress, with its brute majority in the Constituent Assembly, taking any decision which was *ultra vires* and incompetent of the Assembly. The British writer, Penderel Moon, is constrained to recognise : "The acceptance [by the Congress of the long-term plan] when it came was qualified and ambiguous... The Mission in their distress and disappointment were prepared to clutch at any convenient straws." The equivocal and pusillanimous attitude of the British Government only encouraged the Congress to persist in their unjustifiable and wrong claims which ultimately resulted in the break-up of the unity by which they set so much store and for which they themselves were responsible.

CHAPTER 4

THE INTERIM GOVERNMENT

The British Cabinet Mission's scheme for transfer of power consisted of two parts—the long-term proposal setting out the terms and conditions on which constitution-making was to proceed and the short-term proposal for the setting up of an interim government. The Congress misinterpreted the long-term proposal, particularly the provision relating to the grouping of provinces by contending that "in the first instance, the respective provinces shall make their choice whether or not to belong to the section in which they are placed".[1] The interpretation was clearly opposed to the intentions of the Cabinet Mission which pointed out in its subsequent statement of 25 May 1946 that it did not accord with their intentions, for "the right to opt out of the Group," as they said, "will be exercised by the people themselves since at the first general elections under the new provincial constitution this question of opting out will obviously be a major issue and all those entitled to vote under the new franchise will be able to take their share in a truly democratic decision".[2]

Disregarding these authoritative clarifications, the Congress persisted in its misinterpretation, and by its resolution of 25 June the Congress Working Committee reiterated its objections to the limitation of the central authority and the system of grouping of provinces. The Congress President wrote to the Viceroy that "he and his party accepted the proposals and were prepared to work them with a view to achieving their objective, but that they

1. V. P. Menon, *The Transfer of Power in India*, p. 270.
2. Ibid., p. 271.

adhered to their own interpretation of some of the provisions of the Statement such as that relating to the grouping of provinces."[3] This could not be regarded as acceptance of the Mission's Plan. But, in their anxiety to show to the world that their mission was not a failure, the British Ministers resorted to unseemly tactics. Lord Pethick-Lawrence, as the Quaid-i-Azam asserted in his speech at the meeting of the Muslim League Council at Bombay on 28 July 1946, "waylaid Mr. Patel on the road and took him to his house and there they concocted a device. The Congress was persuaded to accept the long-term proposal even with their own interpretations and reservations and the Mission assured the Congress that it would abandon the Interim Government Scheme of June 16."[4] This grave accusation was never answered. Acceptance of the long-term proposal as clarified by the Cabinet Mission was a condition precedent to inclusion of any party in the Interim Government. How far this condition was fulfilled will be seen later.

The Viceroy, Lord Wavell, had definitely given the Quaid-i-Azam to understand that an Interim Government would be formed by reconstituting the Executive Council under the existing Constitution (Government of India Act, 1919) so as to consist of 5 Congress, 5 Muslim League, 1 Sikh and 1 Indian Christian or Anglo-Indian representatives. This is evident from the Quaid-i-Azam's statement of 26 June on the postponement of the formation of the Interim Government in which he disclosed that "with the permission of the Viceroy I was authorised to state this formula to the Working Committee at Simla, on the assumption that the long-term proposals would be such as would be acceptable to us. Thereafter again, on the eve of the meeting of the Working Committee of the Muslim League, in my interview on June 3, the Viceroy repeated the same formula and authorised me to convey it to my Working

3. V.P. Menon, op. cit., p. 278.

4. Jamil-ud-Din Ahmad, Ed., *Speeches and Writings of Mr. Jinnah*, Vol. II, p. 310.

Committee."[5] This was an important consideration which weighed with the Muslim League Council in accepting the long-term proposal of 16 May. As Penderel Moon remarks, "Jinnah's acceptance of the scheme had been fairly prompt and was certainly genuine."[6] Even Lord Pethick-Lawrence in the course of his speech in the House of Lords had to acknowledge: "This was a great step forward and I pay tribute to the courage and statesmanship of Mr. Jinnah that, in advance of the Congress, he should have advocated in his Council, and carried through that body, acceptance of our proposals, which differed substantially from the views held until then and vigorously expressed by his followers."[7]

The Congress, however, opposed the said proposal for the Interim Government and the Viceroy dropped it. The Viceroy next suggested a Council of 13 members—5 Congress, 5 Muslim League, 1 Scheduled Caste, 1 Sikh, 1 Indian Christian or Anglo-Indian. Even this formula was turned down by the Congress, though the Quaid-i-Azam was willing to place it before the League Working Committee for their consideration. Finally, on 16 June the Viceroy and the Cabinet Mission issued a statement setting out their own proposal for the formation of an Interim Government which envisaged an Executive Council of 14 members—6 Congress (including a Scheduled Caste member), 5 Muslim League, 1 Sikh, 1 Indian Christian and 1 Parsi. The following were the names of members chosen by the Viceroy: M.A. Jinnah, Liaquat Ali Khan, Mohammed Ismail Khan, Khwaja Nazimuddin, Abdur Rab Nishtar, Jawaharlal Nehru, Vallabhbhai Patel, C. Rajagopalachari, Rajendra Prasad, Hari Krishna Mehtab, Jagjiwan Ram, Baldev Singh, N.P. Engineer, John Matthai. The most important part of the announcement was paragraph 8 which stated:

In the event of the two major parties or either of them proving unwilling to join in the setting up of a Coalition Govern-

5. Muhammad Ashraf, *Cabinet Mission and After*, p. 220.
6. Penderel Moon, *Divide and Quit*, p. 51.
7. Muhammad Ashraf, op. cit., p. 283.

ment on the above lines, it is the intention of the Viceroy to proceed with the formation of an Interim Government which will be as representative as possible of those willing to accept the Statement of May 16.[8]

In reply to the Quaid-i-Azam's query the Viceroy furnished on 20 June a number of important clarifications as follows :

(1) Until I have received the acceptance of those invited to take office in the interim government, the names in the statement cannot be regarded as final. But no change in principle will be made in the statement without the consent of the two major parties.

(2) No change in the number of 14 members of the interim government will be made without agreement of the two major parties

(3) If any vacancy occurs among the seats at present allotted to the representatives of minorities, I shall naturally consult both the main parties before filling it.

(4) The proportion of members community-wise will not be changed without the agreement of the two major parties.

(5) No decision on a major communal issue could be taken by the interim government if the majority of either of the main parties were opposed to it. I pointed this out to the Congress President and he agreed that the Congress appreciated this point.[9]

The Muslim League regarded it as a matter of vital importance that all Muslim members of the Interim Government should be chosen from the Muslim League as it was the authoritative and representative body of the Muslims of India. The personnel announced in the statement of 16 June showed that this demand of the Muslim League had been met. The Viceroy further made the position clear in his letter to the Congress President dated 22 June as follows :

I understand from press reports that there is a strong feeling in the Congress circles that the party should insist on their right to include a Muslim of their own choice among the representatives of the Congress in the interim government. For reasons, of

8. C.H. Philips: *The Evolution of India and Pakistan*, Oxford University Press, London, 1962, p. 386.

9. Muhammad Ashraf, op. cit., p. 169.

which you are already aware, it is not possible for the Cabinet Mission or myself to accept this request, but I would draw your attention to paragraph 5 of the statement of June 16 which reads as follows:

"The above composition of the interim government is in no way to be taken as a precedent for the solution of any other communal question. It is an expedient put forward to solve the present difficulty only, and to obtain the best available coalition government."[10]

The Congress rejected this formal announcement for formation of the interim government on the ground of opposition to three features—(1) non-inclusion of a Congressite Muslim, (2) no decision on major communal issues in the face of opposition by either of the major parties, (3) inclusion of Scheduled Castes among the minorities. The Congress went back on its previous acceptance of the provision relating to major communal issues and went so far as to aver that they "consider the Scheduled Castes as integral parts of Hindu society". This concern for the Hindu society represented an implicit admission of the Hindu character of the Congress. The insistence on inclusion of a Congressite or Nationalist Muslim was unjustifiable as it was demonstrably clear that such Muslims had no following and no representative capacity. The Congress Working Committee's decision was communicated to the Viceroy by about noon on 25 June. Immediately after this the Cabinet Mission saw the Qua id-i-Azam.

During the interview it was not mentioned that the Muslim League was time-barred in accepting the proposal or that it had been withdrawn. Sir Stafford Cripps tried to put an interpretation on para 8 which was mainfestly wrong. He expressed the view that, since paragraph 8 of the Statement of 16 June made the setting up of such a government dependent upon acceptance by both parties, it was impossible to proceed upon it on that basis when one party had stated its unwillingness to accept. The Plan consisting of the long-term proposal and the short-term proposal stood as "a whole and could be accepted or rejected *in*

10. Muhammad Ashraf, op. cit., p. 153.

toto". The Quaid-i-Azam immediately contradicted Sir Stafford Cripps and pointed out that according to Paragraph 8 and the assurances given by the Viceroy, the League or any major party which accepts the long-term and the short-term proposals was entitled to be included in the Interim Government. It was learnt that at his last meeting with the Cabinet Mission rather hot words were exchanged between the Quaid and Sir Stafford Cripps over the latter's misinterpretation of Paragraph 8. He tried to argue that since both parties, having accepted the long-term plan, were qualified to join the interim government, a fresh attempt would be made by the Viceroy to form the interim government. Referring to this contention the Quaid-i-Azam in a speech on 28 July 1946 remarked: "I am sorry to say that Cripps debased his legal talents . . . A fantastic and dishonest construction was put on the clause 'by that ingenious juggler of words, Cripps,' to evade the formation of the Interim Government."[11] In the course of the discussion Mr. Alexander, another member of the British Cabinet Delegation, intervened to say that the Mission had not arrived at any decision and wanted to know the Quaid-i-Azam's views. He also called at the Quaid-i-Azam's residence, 10 Aurangzeb Road, the next morning and expressed regret over the previous day's unhappy discussions.

After his interview with the Cabinet Mission the Quaid-i-Azam went straight to the meeting of the League Working Committee which passed a resolution accepting the 16 June proposal of formation of interim government and immediately communicated it to the Viceroy. This was in accordance with the arrangement made previously with the Cabinet Mission that the League would communicate their decision after the Congress had made known their decision. Till that time the Cabinet Mission's formal decision to drop the 16 June proposal had not been received by the Quaid-i-Azam. Thus a situation arose which attracted paragraph 8 of the 16 June Statement. Its plain meaning was that if either of the two major parties—the Congress and the Muslim League—was unwilling to join the proposed Interim Government, the Viceroy would proceed to form the Government with the

11. Jamil-ud-Din Ahmad, op. cit., Vol. II, pp. 312-3.

co-operation of the other major party and such other parties as accepted the Statement of 16 May. The words "as representative as possible" clearly envisaged the possibility of one of the major parties staying out. But Sir Stafford Cripps put a wrong interpretation on paragraph 8 to evade formation of the Interim Government. Even a British paper like *The Statesman* of New Delhi and Calcutta felt constrained to regret that the Mission had gone back on their words and, in an outspoken editorial, observed :

The Muslim League having on June 6 accepted the proposals made for an interim government in the May 16 plan, and having reiterated its acceptance lately, the Congress by contrast having rejected them, we fail to see any other conclusion than that the Viceroy stood morally bound at this stage to form forthwith an interim government consisting largely of members of the Muslim League . . . . The language of the passing reference now made . . . to paragraph (8) of their June 16 declaration and its clear commitment seems to us, we are sorry to say, evasive and disingenuous. Politicians may do so, but it is not the business of statesmen to eat their words ; they should not risk bold, sweeping, unequivocal public undertakings unless they mean them, and can be relied upon to fulfil them . . . What was so emphatically considered needful and proper on June 16 cannot well, within ten days, have radically transformed its nature. Good and bad, necessary and unnecessary, are not thus readily interchangeable. . . . During the long-drawn out Delhi-Simla negotiations there have . . . been too many tactical shifts of ground and changes of front by others. It grieves us that a venerable and idealistis Secretary of State, a fine Viceroy, and their two eminent colleagues of Britain's new and good Cabinet should at this stage have descended—as we see matters—to similar swithery courses.[12]

Another eminent journalist, Sir Arthur Moore, a former Editor of *Stalesman* of Calcutta, takes the same view of the Cabinet Delegation's failure to honour its pledges : "We, as represented by the Cabinet Mission, had grievously let down the Muslim League. Whoever invented the later interpretation of the statement of June 16 is entitled to lasting honour wherever hairs are split ; but it bore only one simple and straightforward meaning. The Muslim League alone had accepted the long-term and short-

12. Muhammad Ashraf, op. cit., pp. 228-30.

term plan, and for the sake of peace had agreed to try out a federal form of government and forgo the idea of a sovereign independent Pakistan. No glimmer of thanks or gratitude reached them."[13]

As to the Cabinet Mission's facile assumption that the Congress had accepted the long-term scheme of 16 May *The Statesman* in another editorial entitled "Assessment" said: "India's most important party, the Congress, in accepting the long-term part of the May 16 plan, did so—unless we misconstrue the complex text—on the continued assumption that the plan means something which the Mission, on May 25, declared that it did not."[14]

That the Cabinet Mission's decision to drop their own plan for formation of the interim government was a breach of faith and an act of partisanship and discrimination, is proved by the Viceroy's letter to the Quaid-i-Azam dated 4 June which gave the assurance: "I can give you on behalf of the Cabinet Delegation my personal assurance that we do not propose to make any discrimination in the treatment of either party and that we shall go ahead with the plan laid down in the statement so far as circumstances permit . . . but we hope that both will accept".[15]

The position now was that the Congress had not accepted the long-term plan in accordance with the explanation and clarification given by the Mission itself and had definitely rejected the short-term proposal. The Viceroy was under no obligation to include the Congress in the Interim Government when it refused to come in. On the other hand, it was clearly his duty to form the government in terms of the 16 June Statement with the co-operation of such parties as accepted the Statement. But the Viceroy followed the contrary course. Two months later he did in fact form the Interim Government with only one major party—the Congress—although it had not accepted the long-term plan as clarified by the Mission itself. Having failed in their task to produce an agreed plan for

13. Muhammad Ashraf, op, cit., p. 386.
14. Ibid, p. 232.
15. Ibid, p. 141.

constitution-making and transfer of power owing to their own weak-kneed policy, the British Cabinet Ministers left India on 29 June. Their policy only served to encourage the Congress to persist in its intransigence and uncompromising attitude.

The resolutions of Congress and the statements of its leaders hampered all the efforts that were made to bring about an amicable settlement of the constitutional problems of the subcontinent. Whatever doubts there might have been regarding the Congress's real attitude and intentions were removed by the speeches and statements of Pandit Jawaharlal Nehru after he had been elected as President of the Congress in July 1946. He made some unprovoked remarks against the Cabinet Mission's Plan which his admiring biographer, Michael Brecher, calls "one of the most fiery and provocative statements in his 40 years of public life". Addressing the meeting of the All-India Congress Committee at Bombay on 7 July Pandit Nehru said that so far as he would see, it was not a question of the Congress accepting any plan, long or short. It was only a question of their agreeing to enter the Constituent Assembly and nothing more than that. He asserted, "We are not bound by a single thing except that we have decided for the moment to go to the Constituent Assembly".[16] Pandit Nehru decried the grouping of provinces and claimed that the scope of the Union Centre would have to be considerably enlarged so as to include many more subjects.

It thus became clear as to what were the real objects and intentions of the Congress and how it would use its "brute majority" in the Constituent Assembly in disregard of the vital terms and conditions it was supposed to have agreed to. Pandit Nehru's statements were regarded as a breach of faith on the part of Congress, as they constituted a repudiation of the basic terms and conditions according to which the compromise plan recommended by the Cabinet Mission was supposed to be worked. Even writers otherwise friendly to the Congress have felt constrained to criticise its attitude towards the Cabinet

16. R.C. Majumdar, *History of the Freedom Movement in India*, Vol. III, p. 770.

Mission's Plan. Leonard Mosley expressed the view that it was a compromise plan which could not afterwards be altered in favour of one side or the other, and in the circumstances, "Nehru's remarks were a direct act of sabotage."[17] Another British writer, Penderel Moon, takes the same view : "Gandhi by persuading the Working Committee to reject the interim government had knocked down half of it. Nehru proceeded to demolish the rest of it."[18] The well-known Hindu historian, R.C. Majumdar, too is critical of Pandit Nehru's attitude, for he holds that his observations "destroyed the last chance—though a remote one—of a free, united India."

Even a close friend and colleague of Pandit Nehru, Moulvi Abul Kalam Azad, characterises the former's stand as "one of those unfortunate events which changed the course of history".[19] Referring to Pandit Nehru's statement that the Congress would enter the Constituent Assembly "completely unfettered by agreements and free to meet all situations as they arise and the Congress regarded itself free to change or modify the Cabinet Mission's plan as it thought best," Moulvi Azad says : "I must place on record that Jawaharlal's statement was wrong. It was not correct to say that the Congress was free to modify the plan as it pleased."[20] With regard to the provinces' right to opt out of the Groups, he admits : "The Cabinet Mission had held that the interpretation of the League on this point was correct . . . . In fairness, I have to admit that there was force in Mr. Jinnah's contention."[21]

The situation arising from the speeches and statements of the Congress leaders, particularly Pandit Nehru, created grave misgivings and the speeches made by British spokesmen in Parliament were unconvincing. They confined themselves to a pious expression of opinion that "having regard to the statement of May 16 and the Constituent Assembly elected in accordance with

17. Leonard Mosley, *The Last Day of the British Raj*, p. 28.
18. Penderel Moon, op. cit., p. 56.
19. R.C. Majumdar, op. cit., p. 770.
20. Abul Kalam Azad, *India Wins Freedom*, p. 155.
21. Ibid, p. 174.

it, they cannot, of course, go outside the terms of what had been agreed to. That would not be fair to the other parties who go in."[22] But they did not indicate as to what was the remedy if the Congress persisted in its misinterpretations and used its "brute majority" in the Constituent Assembly to undermine the basic terms and conditions of the Cabinet Mission's Plan.

The Quaid-i-Azam called meetings of the Working Committee and the Council of the All-India Muslim League at Bombay on 27, 28 and 29 July 1946. Strong speeches were made denouncing what the Quaid-i-Azam described as the "petty-fogging, higgling" attitude of the Congress and the breach of faith on the part of the British Government. In a strongly worded resolution the Council declared that "the time has come for the Muslim nation to resort to direct action to achieve Pakistan, to assert their just rights, to vindicate their honour and to get rid of the present British slavery and the contemplated future Caste Hindu domination."[23] It called upon the Muslim nation "to be ready for every sacrifice," directed the Working Committee "to prepare forthwith a programme of direct action to carry out the policy enunciated above and to organize the Muslims for the coming struggle to be launched as and when necessary"[24] and called upon the Muslims "to renounce forthwith the titles conferred upon them by the alien Government."[25]

When this resolution was passed the Quaid-i-Azam made the following significant observation which showed the temper of grim determination prevailing in Muslim India:

What we have done today is the most historic act in our history. Never have we in the whole history of the League done anything, except by constitutional methods and by constitutionalism. But now we are obliged and forced into this position. This day we bid good-bye to constitutional methods. Throughout the fateful negotiations with the Cabinet Delegation and the Viceroy, the other two parties, the British and the Congress, held a pistol

22. Muhammad Ashraf, op. cit., pp. 284-5.

23. Proceedings, published by the All-India Muslim League, Delhi, 1946, p. 60.

24. Ibid., p. 61.

25. Ibid., p. 61.

in their hand, the one of authority and arms and the other of mass struggle and non-co-operation. Today, we have also forged a pistol and are in a position to use it.[26]

These were grave and meaningful words, for the Quaid-i-Azam had not spoken in this strain before. The remarks of a pro-Congress weekly paper of Bombay, *The Blitz*, in this connection are significant :

"The worst enemies of the Muslim League cannot help envying the leadership of Mr. Jinnah. Last week's cataclysmic transformation of the League from the reactionary racket of the Muslim Nawabs, Noons and Knights into a revolutionary mass organisation dedicated, by word if not by deed, to an anti-imperialist struggle, compels us to express the sneaking national wish that a diplomat and strategist of Jinnah's proven calibre were at the helm of the Indian National Congress. There is no denying the fact that by his latest master-stroke of diplomacy Jinnah has outbid, outwitted and out-manoeuvred the British and the Congress alike and confounded the common national indictment that the Muslim League is a parasite of British Imperialism."[27]

Muslim India's strong reaction to their attitude seemed to jolt even the Congress circles. The Congress Working Committee meeting on 8 August made a half-hearted attempt through vague phraseology to explain away its position and pose as if it had met the Muslim League objections. Their resolution stated, *inter alia*, that while they did not approve of all the proposals contained in the Statement of 16 May, they accepted the scheme in its entirety. But the resoltution immediately qualified the acceptance by asserting that they interpreted the Statement "so as to resolve the inconsistencies contained in it and fill the omissions in accordance with the principles laid down in the Statement. They hold that provincial autonomy is a basic provision and each province has the right to decide whether to form or join a group or not. Questions of interpretation will be decided by the procedure laid down in the Statement itself and the Congress will advise its representatives to function accordingly."[28]

26. Jamil-ud-Din Ahmad, op. cit., p. 314.

27. Abdul Wahid Khan, *India Wins Freedom—the Other Side*, Karachi, 1961, pp. 239-40.

28. V.P. Menon, op. cit., p. 292.

Except for its mild tone the resolution was only a reiteration of the position originally taken by the Congress. In a statement on the resolution the Quaid-i-Azam pointed out that the Congress claimed freedom to resolve any inconsistency and fill any omission, although that was not in accordance with the principle laid down in the Statement. The Congress continued to hold that every province had the right to decide whether to form or join a Group or not and that questions of interpretation would be decided by the principle laid down in the Statement itself. The Quaid-i-Azam pointed out that no such procedure was laid down for interpreting the Statement or any clause thereof except the "brute majority". As for the Congress reference to the Constituent Assembly functioning within the internal limitations, the Quaid-i-Azam posed the question as to what were these limitations which could not be over-ruled by a sovereign Constituent Assembly and what was the remedy if any decisions were taken by the Assembly which were repugnant, ultra vires or incompetent of the Assembly to adopt. The Quaid-i-Azam concluded that the situation remained as it was and they were where they were. The mistake committed by the Congress could not be rectified by the mere use of mild Phraseology.

The situation which was already tense was further aggravated by another unwise step taken by the Viceroy obviously under instructions from His Majesty's Government. He and the Cabinet Mission had scrapped their own proposal for formation of interim government issued on 16 June, although repeated assurances had been given that it would be implemented, whether the one or the other party rejected it. On 22 July the Viceroy addressed similar letters to the Presidents of the Congress and the Muslim League, setting out a new proposal which constituted a material departure from all the previous proposals for formation of interim government. It may be summed up briefly as follows: (*a*) interim government to consist of 14 members, 6 to be nominated by the Congress including 1 Scheduled Caste representative, 5 to be nominated by the Muslim League, 3 representatives to be nominated by the Viceroy and no party to object to the names submitted by the other party, (*b*) distribution of

portfolios to be decided after the parties had agreed to join the Congress and the Muslim League to have an equitable share of the important portfolios, (*c*) interim government to have the status indicated in the Viceroy's letter to the Congress President on 30 May, i.e. greatest possible freedom to conduct its business and no interference by the Viceroy in the ordinary course. The Viceroy blandly added that he would welcome a convention, if freely offered by the Congress, that major communal issues could only be decided by the consent of both the major parties.

Though this proposal was practically a surrender to the Congress demands, the first reaction of the Congress leaders was again one of rejection. Pandit Nehru in his reply on 23 July expressed dissatisfaction with the Viceroy's earlier assurance about the status of the interim government, demanded that the Governor-General should function as a constitutional Governor-General and objected to the Viceroy selecting representatives of the minorities. Pandit Nehru concluded that he was wholly unable to co-operate in the formation of a government on the lines suggested by the Viceroy.

To turn to the reaction of the Muslim League, the Quaid-i-Azam in his reply dated 31 July pointed out that the new basis of the proposed interim government threw overboard all the terms which were of vital importance to the interests of the Muslims—namely, the principle of parity was broken, the Congress was free to nominate a "quisling Muslim," the distribution of portfolios was to be "equitable" and not "equal", there was no assurance as to the safeguard relating to major communal issues. These deviations from the proposal of 16 June were most detrimental to Muslim interests and were obviously intended to appease the Congress at the cost of the Muslims.

The Viceroy in his reply merely stated that he was sorry things had gone the way they had, but it would not be profitable to enter into a detailed discussion of the points raised by the Quaid-i-Azam. He added that, in view of the League resolution of 29 July withdrawing its acceptance of the 'long-term plan' he had decided to invite the Congress to make proposals for interim government, and he was sure if they made a reasonable offer of

a coalition he could rely on the Quaid-i-Azam for a ready response.

It may be recalled that due to the deliberate and flagrant distortion and misinterpretation by the Congress of the terms of the compromise plan for constitution-making suggested by the Cabinet Mission, particularly the provision about grouping of provinces, the Muslim League Council had felt impelled to withdraw its earlier acceptance of the Plan. The Viceroy's action in inviting only the Congress to make proposals for the interim government raised a number of important issues. First, he was wrong in assuming that the Congress had accepted the long-term plan. Keeping in view the Cabinet Mission's own declarations and clarifications the Congress could not be regarded as having accepted the long-term plan. Secondly, the League's withdrawal of acceptance was a natural and inevitable sequel to the provocative and unjustifiable stand taken by the Congress and its President on the question of grouping of provinces and the whole procedure for constitution-making laid down in the Plan. The Viceroy was not justified in holding that he had to proceed with the formation of the Interim Government with the co-operation of the Congress in terms of the commitment to form a government as representative as possible of those who had accepted the Statement of 16 May. For one thing, this commitment had been broken by the Viceroy when he had refused to proceed with the formation of the interim government in terms of the June 16 Statement, although the League had accepted both the long-term and the short-term proposals and the Congress had not, in fact, accepted the former and definitely rejected the latter. Secondly, the Viceroy was clearly overstepping the bounds of his authority in issuing an invitation to the President of the Congress to make proposals for the formation of interim government. This resembled the procedure followed by a constitutional Governor-General of a completely self-governing Dominion in forming a Ministry responsible to a legislature.

The position in India was entirely different. The Viceroy was not a constitutional Governor-General, the Interim Government was only the Viceroy's Executive Council under the

Government of India Act of 1919, and it was not responsible to the leader of one political party, thus seriously prejudicing the rights and interests of the other political elements who had an equal claim for the representation on the Council. The Viceroy's action, therefore, was not only a violation of all the assurances and pledges given by successive British Governments to the Muslims and other minorities but a breach of constitutional propriety and an act of partizenship and injustice. For instance, the British Government's declaration of 8 August 1940 stated *inter alia*: "It goes without saying that they could not contemplate the transfer of their present responsibilities for the peace and welfare of India to any system of Government whose authority is directly denied by large and powerful elements in India's national life. Nor could they be parties to the coercion of suuh elements into submission to such a Government."[29]

This indiscretion and lack of statesmanship on the part of the British authorities was going to prove very harmful to the country. The conspiracy that started with the Cabinet Delegation's clandestine efforts to secure the Congress approval for their long-term plan even with reservations was now reaching its culmination. In this connection an incident narrated by a retired senior Hindu official, H.V.R. Iengar, in an article is significant as it shows how even the Hindu officials of the Government of India who were supposed to keep themselves aloof from politics were party to the conspiracy against the Muslims. Referring to the negotiations regarding formation of interim government, he writes :

> The political situation was getting dangerously out of hand. I had no particular instructions from anybody to do anything, but I decided in consultation with V.P. Menon, who was then the Reforms Commissioner, to take a hand in the matter. Sardar Patel was then in Bombay and I decided to go and see him. I remember seeing him one evening in a flat on Marine Drive and explaining the whole situation to him. I told him that the time had come for a grave decision. If the Congress continued to demand written assurances and adopting a legalistic attitude, I thought there was no alternative to further repression and chaos.

29. C.H. Philips, op. cit., p. 371.

If, on the other hand, the Congress was prepared to trust Lord Wavell, effective power would undoubtedly be transferred to their hands. I have no doubt in my mind that the Congress must seize the chance....I saw him the next morning and again we had a long discussion ...Eventually he got up and said that while the decision was for the Congress Working Committee, he would give me the assurance that he would use all his influence to see that if the Viceroy made an offer, that offer would be accepted. I went back to Delhi, informed V.P. Menon, and then saw the Viceroy's Secretary, Sir George Abell. The same night the Viceroy telegraphed to the Secretary of State saying that he had reason to believe that, if an offer was made to form a Government, it would be accepted and he recommended that an offer should be made. This was agreed to by the Government in London; the Viceroy wrote to the Congress President, and shortly thereafter the Congress formed a Government at Delhi.[30]

On 6 August the Viceroy wrote to the Congress President, informing him that, with the concurrence of His Majesty's Government, he had decided to invite him to make proposals for the formation of an interim government on the basis of assurances contained in his letter of 30 May to the Congress President. The relevant portion of the letter is as follows: "I am quite clear that I did not state to you that the interim government would have the same powers as a Dominion Cabinet. The whole constitutional position is entirely different. I said that I was sure that His Majesty's Government would treat the new interim government with the same close consultation and consideration as a Dominion Government. His Majesty's Government have already said that they will give to the Indian Government the greatest possible freedom in the exercise of the day-to-day administration of the country; and I need hardly assure you that it is my intention faithfully to carry out this undertaking".[31] Pandit Nehru as Congress President replied that, having consulted his Working Committee, he was willing to undertake the responsibility of forming a "provisional government," and suggested that the Viceroy should make a public announcement to this effect. In compliance with the Congress

30. Reproduced from *Daily News*, Karachi, dated 24 May 1964.
31. Muhammad Ashraf, op. cit., p. 140.

wish, the Viceroy issued a communique accordingly.

Pandit Nehru next went through the formality of writing a letter to the Quaid-i-Azam to seek his co-operation in the formation of a Coalition Government and asked for a personal discussion. On 15 August the Quaid-i-Azam wrote back to say that if the Viceroy had commissioned Pandit Nehru to form an Executive Council and had already agreed to accept and act upon his advice, the Quaid-i-Azam could not accept such a position. He, however, expressed willingness to see Pandit Nehru.

The meeting took place at the Quaid-i-Azam's house on Mount Pleasant Road, Bombay, on 15 August, but nothing came out of it, because the Quaid-i-Azam could not acquiesce in the position claimed by Mr. Nehru. The self-complacency shown by Mr. Nehru was understandable ; he had been commissioned to form the Government, Muslim League or no Muslim League. No wonder he was taking a supercilious attitude.

On two points, however, it seemed, the Viceroy took a strong stand—he could not give up his powers though he hoped he would not have to exercise them, and the Interim Government could not be constitutionally responsible to the legislature. Having won other points the Congress thought it wise to back down on these two points. Accordingly a communique was issued on 24 August announcing that His Majesty had been pleased to appoint the following as members of the Governor-General's Executive Council : Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel, Dr. Rajendra Prasad, Mr. Asaf Ali, Mr. Rajagopalachari, Mr. Sarat Chandra Bose, Dr. John Matthai, Sardar Baldev Singh, Sir Shafaat Ahmed Khan, Mr. Jagjivan Rum, Syed Ali Zaheer, and Mr. C.H. Bhabha. Two more Muslim members were to be appointed later and the Interim Government was to take office on 2 September. This marked a complete breach of solemn pledges and declared principles by the British authorities.

Though a one-party government had been announced, Lord Wavell did not seem to be entirely oblivious of the serious consequences of such course of action. Soon after making the

announcement he broadcast a talk over the radio the same evening. In trying to justify the step he had taken he made a number of assumptions and statements which were open to question and sought to throw the blame on the Muslim League for his failure to form a Coalition Government. He regretted that it had not been possible to secure a coalition though five seats out of fourteen had been offered to the Muslim League, though assurances were given that the scheme of constitution-making would be worked in accordance with the procedure which had been laid down, and though the Interim Government was to operate under the existing constitution. He added that the Muslim League need have no fear of being outvoted on any essential issue, for a coalition government could exist and function only on the condition that the two main parties were satisfied.

The Viceroy failed to mention that, contrary to constitutional requirements and considerations of equity, he had commissioned the leader of one party to form the Government—a position in which the Muslim League could not acquiesce. Then no assurance either by the British Government or the Congress had been given about the scheme of constitution-making being worked according to the procedure laid down, and the Congress had continued to insist that the Interim Government would be responsible to the legislature. Further, the Viceroy had definitely given the go-by to the safeguard relating to decisions on major communal issues in his latest proposal of 22 July under which the Interim Government was formed and had merely stated that he would welcome a convention on this matter if freely offered by the Congress. The Congress had offered no such convention; rather it included "quisling" Muslims in the Interim Government who had no representative capacity.

In another part of his broadcast talk the Viceroy assured the Muslim League that the procedure about the framing of Provincial and Group constitutions would be followed and that the Congress was ready that any dispute on interpretation might be referred to the Federal Court. This again was unconvincing from the Muslim point of view. The real party concerned was

the Congress; it had reiterated its interpretation of the clause relating to Provincial and Group constitutions—an interpretation, which, according to the Cabinet Delegation itself, was wrong. Nor had the Cabinet Delegation indicated as to what was the remedy if the Congress by virtue of its "brute majority" took decisions contrary to the real meaning of the disputed clause. As the Quaid-i-Azam pointed out, there was, in the first instance, no provision for reference of such a dispute to the Federal Court; secondly, the basis and fundamental principle underlying the Plan of 16 May was not and could not be made a justiciable issue. The proposals of the Cabinet Delegation were recommendations which could be carried out only when both the major parties were agreed in the clearest manner and unquestionably on the fundamentals. The Quaid-i-Azam posed the question whether they were going to commence the proceedings of the Constituent Assembly with litigation and whether that was the spirit in which the future constitution could be framed? Later, in the course of an interview with a foreign press representative, the Quaid-i-Azam, referring to the reported willingness of the Congress to sit in sections, remarked: "What is wanted is not vague generalities which butter no parsnips, but a detailed statement of what the Congress party does or does not regard as binding. Mere words and phrases do not carry us far. What is required to meet the situation is a definite and categorical statement regarding the point in dispute."[32]

As has already been mentioned, the Muslim League Council, in view of the British Government's betrayal of its solemn pledges and vital Muslim interests, had decided to launch Direct Action, as and when necessary. The League had called for observance of 16 August as "Direct Action Day" when meetings were to be held throughout the country only to explain the reasons for the withdrawal of the League's acceptance of the Cabinet Mission's Plan and the decision about launching direct action. No programme of direct action had till then been formulated nor was there any idea of starting direct action

32. Jamil-ud-Din Ahmad, op. cit., Vol. II, p. 341.

on that day. The Day was observed with great solemnity and enthusiasm throughout India, and it was evident that the Muslims were prepared for all possible sacrifices to protect their just rights and interests and, if necessary, to fight on two fronts—the British and the Congress—which, so far as the Muslims were concerned, appeared identified together. There were no disturbances during this demonstration except in Calcutta. While the Muslims were busy with their meeting at which the Muslim League Council's resolutions were being explained, the Hindus started a terrible riot throughout the city. Murder, arson, pillage on an unprecedented scale were the order of the day. The Mussalmans had not only made no preparations to disturb the peace; they were not even able to defend themselves when brutal attacks suddenly burst upon them. If they wished to disturb the peace, which they certainly did not, they would not choose Calcutta with only 23% Muslim population for such a purpose. Jan Stephens, former Editor of *Statesman*, was present in Calcutta when the riots broke out. His remarks on the "Direct Action" day and the happenings in Calcutta are pertinent:

> Except in one city nothing of note except big meetings happened on Direct Action Day, August 16; and such evidence as can be got does not show that the League's central leadership planned anything much to happen. The Day, it was explained, was simply to be one when the League Council's resolution would be publicly explained. "It is nothing but a statement," said Mr. Jinnah, 'concerning the steps which we propose to take for self-preservation and self-defence." It was no "declaration of war" on anybody. The meetings would not in themselves be "Direct Action" and those who came were asked to behave peacefully. . . . . .
>
> It is inconceivable that the members of the [Bengal] Ministry could have wanted an outbreak snch as happened, if only because there was no possibility of the Muslims winning. Though they enjoyed a majority in Bengal as a whole, they were heavily outnumbered in the province's capital, their proportion of the population there in 1946 probably being less than 25 per cent . . . . Even perhaps during the first day's fighting and certainly during the second and third, Muslim losses were the worst. Apparently local Hindu organisations, hearing rumours that some sort of

Muslim attack was contemplated, had made formidable preparations.[33]

"It was," as the Quaid-i-Azam pointed out, "an organised plot to discredit the Muslim League and the Muslim League Ministry on the part of the Hindus elated by the doings of the Viceroy who chose the manner and time of going ahead with the Interim Government ignoring the League."[34]

After making the announcement about the Interim Government the Viceroy flew posthaste to Calcutta to see the aftermath of the tragic happenings. What he saw there and what he heard of the serious unrest all over the country seemed to convince him of the futility and danger of carrying on with a one-party Government. While in Calcutta he was reported to have been struck by a constructive suggestion believed to have been made by Khwaja Nazimuddin, a prominent member of the Muslim League Working Committee. The suggestion was that if the Congress would make an unequivocal statement that provinces could not opt out of Groups except as laid down in the Statement of 16 May or if the Viceroy or His Majesty's Government would state plainly that they would not permit the Congress to put any other interpretation on grouping than that meant by the Cabinet Mission, the League would reconsider coming into the Constituent Assembly.

On return from Calcutta the Viceroy, in the course of a conversation with Mr. Gandhi and Mr. Nehru, impressed on them the need of a clear declaration of Congress willingness to abide by the procedure laid down in paragraph 19 (*viii*) of the 16 May Statement, namely, provinces could opt out of their Groups after the first general elections held under the new constitutional arrangements, so that the way might be opened for the League to come into the Interim Government and also join the Constituent Assembly. But the Congress leaders resented and turned down the Viceroy's suggestion. Unpleasant words were exchanged, as Lord Wavell, a straightward soldier, otherwise calm and sedate, felt exasperated at the Congress leaders' quibbling

34. Ian Stephens : *Pakistan*, London, 1963, pp. 104-6.
35. Jamil-ud-Din Ahmed, op. cit., Vol. II, p. 326.

and disingenuous attempt to evade an answer to his straight demand for a clear and faithful acceptance of the procedure relating to the grouping of provinces as clarified by the Mission itself. Some of the remarks exchanged between the Viceroy and the Congress leaders, as reproduced from official records by Leonard Mosley in his book, *The Last Days of the British Raj*, are as follows :

Wavell : So far as the Cabinet Mission's Plan is concerned this is what I feel you should do. When Congress accepted the Cabinet Mission's Plan in the first place, I cannot believe that you did so not knowing its implications. If so why did you accept it at all ? The plan for dividing the country into groups was implicit. You cannot now turn round and say that you did not realise that is what is intended.

Gandhi : What the Cabinet Mission intended and the way we interpret what they intended may not be the same.

Wavell : That is lawyer's talk. Talk to me in plain English. I am a simple soldier and you confuse me with your legalistic arguments.

Nehru : We cannot help it if we are lawyers.

Wavell : But you can talk to me like honest men who are interested in India's future and welfare. Dammit, the Cabinet Mission made its intentions as clear as daylight. Surely we don't need to go to law about that or split legal hairs either. As a plain man, the situation seems to me to be simple. If the Congress will give me the guarantee for which I ask I think I can persuade Mr. Jinnah and the Muslim League to reconsider their refusal to join the Interim Government. We need them in the Government. India needs them, and, if you are seriously concerned over the danger of civil war—and you must know as well as I that the danger is great—you need them too. In the circumstances I feel that it would be unwise, even perilous, if I allowed the Congress to form an interim government on its own.

Gandhi : But you have already announced that the Government will come into being. You cannot now go back on your word.

Wavell : The situation has changed. As a result of those killings in Calcutta India is on the verge of civil war. It is my duty to prevent it. I will not prevent it if I allow the Congress to form a Government which excludes the Muslims ; they will then decide that Direct Action is the only way, and we shall have the massacre of Bengal all over again.

Nehru : In other words you are willing to surrender to the Muslim League's blackmail.

Wavell : For God's sake, man, who are you to talk of blackmail ?[35]

Pandit Nehru was so incensed with the candid talk of the Viceroy that he resorted to underhand tactics in trying to get rid of Lord Wavell. As Leonard Mosley testifies, Pandit Nehru wrote secret letters to his friends in the Labour Party in Britain complaining against the Viceroy. This was one of the reasons why Mr. Attlee's Government which had a soft corner for the Congress later recalled Lord Wavell. However on 7 September Pandit Nehru made another half-hearted attempt, through a broadcast, to reassure the League. He said that the Congress was perfectly willing to accept the position of sitting in the sections which would consider the formation of groups and that they did not look upon the Constituent Assembly as an arena for conflict, or for the forcible imposition of one point of view over another. This again was vague pharseology which did not make it clear as to what the Congress had or had not agreed to with regard to the grouping of provinces which was the crux of the whole problem. The Quaid-i-Azam in an interview to *The Daily Mail* of London on 8 September, referring to Mr. Nehru's broadcast, remarked : "He has made no definite proposals to me ; you cannot butter parsnips with words ; I have been stabbed and phrases and words will not stop the bleeding."[36]

The Viceroy seemed to be realising more and more that constitution making on a one-party basis would be useless, that the long-term plan of 16 May as clarified by the Cabinet Delegation must be adhered to, and it was of the utmost importance to enlist the co-operation of the League. He felt that the time had come to make another effort to reach a settlement with the League. Accordingly, the Viceroy invited the Quaid-i-Azam for consultations which took place in New Delhi on 16 September and the following days. It was reported that Lord Wavell tried hard to persuade the Quaid-i-Azam to allow the League to come

35. Leonard Mosley, op. cit., pp. 42-4.
36. Muhammad Ashraf, op. cit., p. 408.

into the Interim Government. He also suggested a meeting between the Quaid-i-Azam and Mr. Nehru. The meeting took place but, as the correspondence between the two leaders shows, no agreement could be reached.

Through the intervention of the Nawab of Bhopal Mr. Gandhi signed a formula to the following effect: "The Congress does not challenge and accepts that the Muslim League now is the authoritative representative organisation of an overwhelming majority of the Muslims of India. As such and in accordance with democratic principles they alone have today an unquestionable right to represent the Muslims of India. But the Congress cannot agree that any restriction or limitation should be put upon the Congress to choose such representatives as they think proper from amongst the members of the Congress as their representatives."[37] It was on the basis of this formula that the meeting between the Quaid-i-Azam and Mr. Nehru was arranged. When confronted with the formula Mr. Nehru and other Congress leaders showed resentment and Mr. Nehru sought to add a proviso to it in the following words: "provided that for identical reasons the League recognises the Congress as the authoritative organisation representing all non-Muslims and such Muslims as have thrown in their lot with the Congress,"[38] and he even suggested that no formula was necessary. The Quaid-i-Azam could not agree to it, as it was at variance with the original formula signed by Mr. Gandhi on the basis of which the meeting between the Quaid-i-Azam and Mr. Nehru had been brought about.

The Quaid-i-Azam formulated a number of points for discussion and Mr. Nehru's reaction to a majority of them was negative. The position is summarised below:

(1) The Total number of the members of the Executive Council to be 14.

Mr. Nehru agreed.

(2) Six nominees of the Congress to include one Scheduled Caste representative, but the League must not be taken to

37. Jamil-ud-Din Ahmed, op. cit., Vol. II, p. 334.
38. Ibid., p. 342-43.

have approved of the selection, the ultimate responsibility being that of the Viceroy.

Mr. Nehru did not agree.

(3) The Congress not to include in the remaining 5 members of their quota a Muslim of their choice.

Mr. Nehru did not agree.

(4) The League was not to be consulted in the selection of minority representatives and should not be taken to have approved of the selection; the League should be consulted if vacancies occur in future.

Mr. Nehru denied any right to the League in the matter of consultation, adding that in the event of such a vacancy arising the Cabinet as a whole would consider filling up the vacancy.

(5) A convention that no decision should be taken on a major communal issue if the majority of either of the main parties were opposed to it.

Mr. Nehru did not agree to any convention.

(6) Vice-Presidentship of the Interim Government to rotate between the League and the Congress.

Mr. Nehru refused. He would agree if the League wanted to have an additional Vice-Chairman of the Co-ordination Committee of the Cabinet.

(7) Important portfolios to be distributed equally between the League and the Congress.

Mr. Nehru made no comment.

(8) The above arrangement not to be varied without the consent of the major parties.

Mr. Nehru said that when an agreement had been reached between them it could only be varied by mutual agreement.

Thus no agreement was reached between the Quaid-i-Azam and Mr. Nehru.

The Viceroy's response to the Quaid-i-Azam's demands was more accommodating. His replies may be summarised as follows:

1. He agreed about the total number of Executive Council being 14.

2. He agreed that responsibility for selection of Scheduled Caste representative was his.

3. He insisted that each party must be equally free to nominate its own representatives.

4. As to safeguard regarding decisions on major communal issues he observed that it was impossible to decide major matters of policy if one of the main parties was strongly against a course of action proposed, adding that a Coalition Government either works by a process of mutual adjustments or does not work at all.

5. He would arrange for a Muslim League member to preside over the Cabinet in the absence of the Governor-General and the Vice-President and also nominate a Muslim League member as Vice-Chairman of the Co-ordination Committee of the Cabinet.

6. He agreed that both parties would be consulted before filling a vacancy in the seats of minorities.

7. The minority representatives could not be excluded from a share in the major portfolios but, subject to this, there could be equal distribution of the important portfolios between the League and the Congress.

8. He agreed that the above arrangement should not be changed without the consent of both the parties.

Clearly the Viceroy's replies gave better satisfaction to the Muslim League. On 13 October the League Working Committee passed a resolution declaring that they did not approve of the basis and scheme of formation of the Interim Government but felt that since, according to the Viceroy's decision, they had a right to nominate five members of the Executive Council, in the interests of the Mussalmans and other communities it would be fatal to leave the entire field of administration of the Central Government in the hands of the Congress. The Committee, therefore, decided to nominate five members on behalf of the Muslim League in terms of the Viceroy's Broadcast of 24 August and his letters to the Quaid-i-Azam. As a counterpoise to the Congress's unreasonable insistence on including a Muslim of their choice in their quota, the Muslim League used its freedom of choice of representatives to nominate in its quota a representative of Scheduled Castes of Bengal who had been co-operating with the Muslim League. As authorised by the Working Committee, the Quaid-i-Azam nominated the following Muslim League representatives in the Interim Government : (1) Mr. Liaquat Ali Khan, (2) Mr. I. I. Chundrigar, (3) Mr. Abdur Rab Nishtar, (4) Mr. Ghazan-

far Ali Khan, (5) Mr. J.N. Mandal (then a Minister in the Muslim League Government of Bengal).

Some senior members of the Working Committee beseeched and pressed the Quaid-i-Azam to go into the Interim Government, for otherwise the League would not be able to hold out in the Cabinet against Mr. Nehru and other Congress leaders. He listened to their arguments and, according to Mian Bashir Ahmad, a member of the Working Committee, the Quaid-i-Azam clinched the matter by saying: "Thank you, gentlemen. But I am of the definite opinion that I should not join the Cabinet. You know why? If I go in, who will be there to support me outside the Government? Excuse me for saying so, gentlemen, but the people trust me and they think I am the Muslim League. When I am not in the Muslim League, there may be no Muslim League left to support me. What will happen then?" Then pointing to Nawabzada Liaquat Ali Khan, he contiuued: "No, Liaquat, you better go in. I know you would do well. Here am I and there will be the All-India Muslim League to support you. I tell you, you would do well."[39] The Quaid i-Azam's decision was wise, for he was needed outside the Government to carry on the struggle for Pakistan during the most crucial stage to a successful conclusion.

Though for purposes of propaganda the Congress leaders had repeatedly expressed their desire to have the League as a partner in the Interim Government, now that the League had come in, the Congress showed signs of uneasiness and displeasure. Mr. Nehru in a letter to the Viceroy said that, though he did not wish to raise any objection to the names proposed by the Muslim League, he owed it to the Viceroy to tell him how deeply he regretted the choice made by the Muslim League which, to his mind, indicated a desire for conflict. Thus Mr. Nehru had different standards for judging the choice of his own party and that of the League. While the Congress resented any objection to the inclusion of a "quisting" Muslim in the Congress quota, it criticised the Muslim League's choice of members of its quota so as to give

39. Jamil-ud-Din Ahmad Ed., *Quaid-i-Azam Jinnah as Seen by His Contemporaries,* Lahore, 1967, p. 27.

representation to the most depressed section of the population.

Mr. Gandhi went a step further. He felt that the League's entry into the Cabinet had not been straight and he could sense no generosity in the nomination of a Scheduled Caste representative in their quota. The Congress leaders' hostility to the League became all the more evident when the question of reallocation of portfolios among members of the reconstituted Executive Council was taken up. Committed as he was to an equitable, if not equal, distribution of portfolios, the Viceroy wanted one of the portfolios of External Affairs, Defence or Home to be given to the League. But Mr. Nehru would not give up External Affairs, Mr. Patel would not surrender Home Affairs, nor would they agree to Defence being taken away from Sardar Baldev Singh. Finally, the Congress agreed to the allocation of Finance to the League, thinking that the League was not competent to handle a subject like Finance. They were to be disillusioned in this matter in the following months.

In reply to the Viceroy's letter offering the Muslim League the portfolios af Finance, Commerce, Posts and Air, Health, and Legislative and requesting him to propose how these portfolios were to be distributed among Muslim League representatives, the Quaid-i-Azam stated that it was not an equitable distribution, but he recommended the following allocation of portfolios; Mr. Liaquat Ali Khan—Finance; Mr. I. I. Chundrigar—Commerce; Mr. Abdur Rab Nishtar—Posts and Air; Mr. Ghazanfar Ali Khan—Health; Mr. Jogendra Nath Mandal—Legislative.

Thus a situation which threatened to take a tragic turn was saved by the tact, resourcefulness and sagacity of the Quaid-i-Azam. He rescued Muslim India and, indeed, the whole of India from what appeared to be approaching disaster. It was a strategic triumph, for he succeeded in getting the Muslim League into the Interim Government in its own right without any commitment to join the Constituent Assembly in the way the Congress wanted it to join. He also succeeded in securing reversal of the procedure originally followed by the Viceroy in commissioning one party to form the Government. Two points are noteworthy: (1) the League entered the Interim Government in its own right and not as a matter of

grace or concession from the Congress ; (2) the League came in as a separate and independent *bloc* without recognising Mr. Nehru's leadership of the so-called Cabinet and not as an understudy of the Congress. The position was made perfectly clear by Mr. Liaquat Ali Khan on assuming office on 26 October. Addressing a press conference he said : "This Government has been formed under the present constitution and as such there is no such thing as joint or collective responsibility. Pandit Nehru is, therefore, nobody else's leader except of the Congress bloc in the Government. The term 'leader of the interim government' is a polite fiction. The League bloc recognises no other leader except its own."[40]

In fact, the image of Cabinet Government which Mr. Nehru had been trying to build up with himself as *de facto* Prime Minister was no more. The reconstituted Government was the Executive Council of the Governor-General under the Government of India Act of 1919. It was not that the League was opposed to the transfer of more powers to Indian hands. But any acquiescence on the part of the League in the position claimed by Mr. Nehru for the Interim Government would have meant prejudging the constitutional issue in favour of the system demanded by the Congress—one government for the whole of India responsible to a legislature dominated by the Hindu majority. This would have militated against the principle of Pakistan. It was a danger which had to be guarded against. The League entered the Interim Government firstly to safeguard vital Muslim interests, and secondly to prevent the Congress from using its position of vantage in such a way as to thwart the establishment of Pakistan as an independent State. All subsequent events showed that the League's decision was timely and prudent. By a stroke of diplomacy and skilful statesmanship the Quaid-i-Azam regained the initiative and paved the way for the eventual emergence of Pakistan.

40. Muhammad Ashraf, op. cit., p.429-30.

CHAPTER 5

LEAGUE-CONGRESS CONFLICT

It soon became apparent that the Congress was not genuinely reconciled to the Muslim League's participation in the Interim Government. In the course of negotiations with the Quaid-i-Azam, Pandit Nehru had graciously stated that "nothing could be happier and better for the country than that these two organisations should meet again as before as friends". But when the Muslim League joined the Interim Government the Congress seemed to resent it as an interference with its monopoly of power. At the annual session of the Congress at Meerut in November 1946, Mr. Nehru, true to his reputation for making provocative and baseless allegations against those who did not toe his line, charged that ever since its entry into the Interim Government the Muslim League had been trying to establish itself as the "King's party" in the Government. The leader of the Muslim League *bloc*, Mr. Liaquat Ali Khan, emphatically repudiated the charge, asserting that the League had never once invoked the Viceroy's special powers nor asked for his or the British Government's intervention in any matter.

At the same session of the Congress Sardar Vallabhbhai Patel, a devoted follower of Mr. Gandhi—the Apostle of the cult of Ahimsa (non-violence)—referring to the Hindu-Muslim riots, sarcastically asked the Muslims to examine the "balance-sheet" of casualties and held out the threat that the "sword will be met with sword"—a strange utterance from the leader of a party which claimed to be national and devoted to the cause of peace and harmony ! The Quaid-i-Azam, with calm confidence, replied to Sardar Patel's threat as follows : "Sardar Patel is a

strong man as they said and therefore he uses strong language but words do not break bones. If he means by using the phrase 'the sword will be met with the sword' that the minorities should be butchered by the majority all over India, it is an appalling prospect. All I can say is that he does not seem to realise that any one who encourages this sort of things is the greatest enemy of every community. Where has Sardar Patel got his sword? The Congress Ministries and those who are now sitting as members of the Executive Council will not be able to function if they were not under the protection of the British bayonet."[1]

The Congress's efforts were now directed towards creating a situation in which the League would be forced either to join the proposed Constituent Assembly in spite of the repudiation by the Congress of the basic terms and conditions on which the Assembly was supposed to function or to go out of the Interim Government and again leave the field clear to the Congress to pursue their designs. Under pressure from Mr. Nehru the Viceroy began to urge the Quaid-i-Azam to convene the League Council to reconsider their decision on the long-term Plan of 16 May. But there was no change in the stand of the Congress in this respect which could induce the League to revise its attitude. Moreover, the situation in the country had not shown any improvement. The great Calcutta killings were followed by disturbances in Noakhali and Tripura districts of East Bengal about which exaggerated reports appeared in the Congress press. According to the testimony of the Governor of Bengal himself, the number of those killed was low in the three figure and the disturbances were quickly brought under control. However, these disturbances were highlighted beyond all proportion by Mr. Gandhi's extended tours in these districts.

The exaggerated accounts of the Noakhali incidents are exposed by Mr. Ian Stephens in his book *Pakistan* as follows: "Most of the contemporary casualty reports were wild exaggerations; falling into an altogether different class from what happened before in Calcutta—and from what was soon to follow

1. Jamil-ud-Din Ahmad *Speeches and Writings of Quaid-i-Azam*, Vol. II, p. 376.

in Bihar. According to statements in the British Parliament during November the dead did not exceed 200. A subsequent on-the-spot official tally issued in Calcutta in May 1947 gave totals for Noakhali itself of 220 and for Tripura of 65. Certainly the upheaval was much exploited by influentially placed Hindus for purposes of propaganda."[2]

The virulent propaganda about the Noakhali incidents resulted in terrible outrages perpetrated by the Hindus in Bihar where a dreadful wave of lawlessness, murder, rape, arson and loot prevailed for several weeks. The loss in life of Muslims was reported to be about 30,000 and about 150,000 were rendered homeless and had to seek refuge in Bengal. Referring to the massacre of Muslims in Bihar, Mr. Ian Stephens says, "A new feature emerged: much of the butchery of hopelessly outnumbered Muslims bore every sign of careful prior planning being the first of several such abominations to occur during the next twelve months."[3] Even more revealing is the testimony of Lt. Gen. Tuker who was G.O.C.-in-C., Eastern Command. In his book *While Memory Serves* he says: "Of all the terrible doings of 1946 this was the most shocking. Great mobs of Hindus turned suddenly, but with every preparation for the deed, upon the few Muslims who had lived, and whose forefathers had lived, in amity and trust all their lives, among these very Hindu neighbours. It has never been ascertained who was the organising brain of this well-laid, widely-planned plot of extirpation. All that we do know is that it went to a fixed plan and schedule. Had in not been so, such large mobs, fully armed with prepared weapons, would never have collected in the time and moved with such obvious, fiendish intent from victim to victim. The number of Muslim dead—men, women and children—in this short, savage killing was about 7,000 to 8,000. Women and their babies were cut up, butchered, with an obscene devilry."[4]

Even Pandit Jawaharlal Nehru has to admit the appalling

2. Ian Stephens, *Pakistan*, p. 110.
3. Ibid., p. 111.
4. Ibid., p. 112.

atrocities committed by his co-religionists in Bihar. He sent through Sudhir Ghosh a note on the Bihar massacre to the British Cabinet Ministers. Though he tries to find excuses for the Hindu action and even tries to throw the blame on the Muslims, yet he makes the following admissions: "An instance which brings out the slowness of the governmental apparatus during the first two days is that at a place where a Hindu mob killed about 25 to 30 Muslims on a railway platform; for over two days after this murder the bodies lay on the platform and nobody took the trouble to remove them. . . . Muslim busties were burnt and looted and many Muslims were killed. This was a ruthless and inhuman affair and women and children even were not spared. . . . There were gross cases of cruelty and insensate behaviour."[5]

As already stated, about 150,000 of persecuted Muslims of Bihar sought refuge in the neighbouring province of Bengal where the Chief Minister Mr. H.S. Suhrawardy and his Government as also the Muslim puplic afforded them much-needed succour and relief. The Quaid-i-Azam appointed a special Relief Committee whose members headed by Khwaja Nazimuddin and Malik Feroz Khan Noon toured the province of Bihar and arranged relief for the distressed Muslim. The Muslim League Ministry of Sind, headed by Mr. Ghulam Husain Hidayetullah, also offered relief and shelter to a number of displaced Muslims of Bihar in Karachi.

The Bihar holocaust was followed by an equally gruesome event in U.P. which is described by Mr. Ian Stephens as follows: "At about the centre, in the U.P, only a few days after the Bihar outbreak there occurred the horrible rural slaughter at Garhmukteswar, where Hindu pilgrims, at the annual religious fair, set upon and exterminated Muslims, not only on the festival grounds but in the adjacent town. And the police—this becomes a repetitive theme—stood complaisantly around doing little or nothing. The dead were estimated at between 1,000 and 2,000.

5. Sudhir Ghosh, *Gandhi's Emissary*, p. 39

The U. P. Ministry succeded in wrapping a heavy blanket of silence round the whole business."[6]

The diabolical nature of the acts committed Garhmukteswar is further revealed by Lt. General Tuker: "Here at Garhmukteswar there was no provocation. . . . Practically every Muslim man, woman and child was murdered with appalling cruelty. Either here or later even pregnant women were ripped up, their unborn babies were torn out and the infants' brains bashed out on walls and on the ground. There was rape, and women and children seized by the legs by burly fiends and torn apart. These hellions looted and burnt the mela stalls, casting the dead and dying into the flames. Most were killed with spears but some of the killings were by strangulation which, it will be recalled, was the ritual method of the thugs. The murderers' women stood about, laughing with glee at the burning booths, egging on their men folk."[7]

Notwithstanding the tragic happenings and the deplorable situation, the Viceroy continued to press the Quaid-i-Azam to declare the League's willingness to join the Constituent Assembly. In an effective reply dated 17 November to the Viceroy's demand, the Quaid-i-Azam referred to the numerous Congress resolutions and statements of the Congress leaders to show that the Congress itself had not accepted the Statement of 16 May. In particular, he referred to Mr. Nehru's letter to Mr. Bardoloi, Premier of Assam, which stated : "I fully appreciate the feeling in Assam in regard to the sections or grouping and I think that our position will safeguard your sentiment completely. Having accepted the document of May 16 we have inevitably to accept going into the sections, but the question is as to how we shall function in those sections. You are right in saying that I did not go into this matter in my broadcast, because I did not wish to raise controversial issues there. But our position is clear that provincial autonomy must be maintained and a province must decide both about grouping and its own constitution. It is true that we have accepted the Federal Court's decision in regard

6. Ian Stephens, op. cit., p. 113.

7. Lt. Gen. Sir Frances Tuker, *While Memory Serves*.

to the interpretation and we must abide by that decision of ours. But in no event we are going to agree to a province like Assam being forced against its will to do any thing."[8] The Quaid-i-Azam also drew attention to the following pronouncement of Mr. Gandhi on 23 October : "The Constituent Assembly is based on the State Paper. That Paper has put in cold storage the idea of Pakistan. It has recommended the device of 'grouping,' which the Congress interprets in one way, the League in another and the Cabinet Mission in a third way. No law-giver can give an authoritative interpretation of his own law. If, then there is a dispute as to its interpretation, duly constituted court of law must decide it."[9]

The Quaid-i-Azam further explained that it was not a question of his telling the Viceroy as to what assurance were necessary ; the real question was to get the Congress first to agree to the fundamentals in the clearest language and then to devise ways and means by which the proposals could be implemented and enforced by His Majesty's Government if the Congress broke their word. As the Viceroy himself had said that there was no use in holding further discussion, the Quaid-i-Azam felt it would be futile for him to call the League Council. Drawing attention to the planned, ruthless massacres of the Muslims in various parts of Bihar and other parts of the country and the failure of Congress to protect life and property of innocent people, the Quaid-i-Azam asserted that in this highly surcharged and explosive atmosphere even to think of the proposed Constituent Assembly was neither advisable nor possible. He earnestly advised the Viceroy to concentrate on measures for protection of life and property and relief and succour to persecuted and homeless people and to announce the postponement of the Constituent Assembly *sine die*.

Unmindful of the Quaid-i-Azam's advice and of the dangers involved, the Viceroy took or was made to take another precipitate step—he summoned the Constituent Assembly to meet on 9 December. The Quaid-i-Azam characterised it as

8. Jamil-ud-Din Ahmad, op. cit., Vol. II, p. 367.
9. Ibid., p. 368.

"one more blunder of a grave and serious character" and declared that, in view of the Muslim League Council's resolution of 29 July, no member of the Muslim League would participate in the Constituent Assembly. Here it may be recalled that in the elections to the Constituent Assembly the League had captured 75 out of 79 Muslim seats which completely established its representative character. The Viceroy and the British Government seemed to be realising the urgent need of making another effort to iron out differences between the League and the Congress with a view to getting both parties into the Constit uent Assembly. They had found that any attempt to browbeat the League into surrender of its essential position was useless. The League would rather be prepared to go out of the Interim Government than modify its stand on the grouping of provinces which was perfectly in accord with the Cabinet Mission's own view.

Accordingly the Secretary of State for India decided to invite two representatives each of the Congress and the League to a conference in London, Mr. Nehru at first was averse to the proposal of a conference in London, as he felt that their departure for London would be interpreted to mean that, at the instance of the League, the Cabinet Mission's Plan was going to be abandoned or substantially altered and they were parties to it. On a personal appeal from Prime Minister Attlee, Mr. Nehru, however, agreed to go. Finally Messrs Nehru and Baldev Singh on behalf of the Congress and the Quaid-i-Azam and Mr. Liaquat Ali Khan on behalf of the League, accompanied by the Viceroy, arrived in London on 2 December.

The discussionsbetween the Congress, the Muslim League and the British Government failed to produce any agreement. However, the Quaid-i-Azam's advocacy of the Muslim case had a telling effect and the statement issued by the British Government on 6 December at the conclusion of the conference again completely vindicated the stand of the League and exposed the intransigence of the Congress. The Statement, after recalling that the main difficulty had been about paragraph 19 (v) and (viii) of the Cabinet Mission's Plan of 16 May, declared that "the Cabinet Mission have throughout maintained the view that

the decisions of the sections should, in the absence of agreement to the contrary, be taken by a simple majority vote of the representatives in the sections. This view has been accepted by the Muslim League but the Congress have put forward a different view. They have asserted that the true meaning of the Statement read as a whole is that the provinces have a right to decide both as to grouping and as to their own constitutions. His Majesty's Government have had legal advice which confirms that the Statement of May 16 means what the Cabinet Mission have always stated was their intention. This part of the Statement as so interpreted must, therefore, be considered as an essential part of the scheme of May 16 for enabling the Indian people to formulate a constitution which His Majesty's Government would be prepared to submit to Parliament. It should, therefore, be accepted by all parties in the Constituent Assembly."[10] The statement further urged the Congress to accept the view of the Cabinet Mission in order that the way might be opened for the Muslim League to reconsider their attitude. It ended with the following declaration of policy: "There has never been any prospect of success for the Constituent Assembly in which a large section of the Indian population had not been represented. His Majesty's Government could not, of course, contemplate—as the Congress have stated they would not contemplate—forcing such a constitution upon any unwilling parts of the country."[11]

It is clear from this statement that the British Government had reaffirmed its earlier pledges that no constitution would be foisted on the Muslims against their will and consent, and the impression that the Muslims would be bypassed to please the Congress was removed. To have obtained such a forthright statement of policy from a pronouncedly pro-Congress British Government was a measure of the Quaid-i-Azam's dialectical powers and the justice of the cause he represented. It cannot be gainsaid that if such a clear and categorical statement had been made in the month of July soon after Pandit Nehru's

10. C. H. Phillips, *The Evolution of India and Pakistan*, p. 390.
11. Ibid., p. 391.

remarks repudiating the basic terms of the Cabinet Mission's Plan, many of the complications and troubles which occurred thereafter might have been avoided, for the Congress would not have adopted the aggressive attitude they were encouraged to do by being commissioned to form the Interim Government.

As was to be expected, the Congress, instead of gracefully accepting the position now clarified beyond any doubt by the British Government, resented the statement of 6 December, characterising it as addition to and variation of the Cabinet Mission's Plan of 16 May and struck a new note. The All-India Congress Committee resolution of 5 January 1947 said that, while it was prepared to advise action in accordance with the interpretation of the British Government in regard to the procedure to be followed in the sections, this must not involve any compulsion of a province and the rights of the Sikhs in the Punjab should not be jeopardised. The Congress in championing the interests of the Sikhs and saying nothing about the interests of the Muslim minority in the Hindu majority provinces belied its "nationalist" professions. The resolution added that "in the event of any attempt at such compulsion, a province or part of a province has the right to take such action as may be deemed necessary to give effect to the wishes of the people concerned".[12] This again was a misinterpretation and mutilation of the Cabinet Mission's Plan and its intentions. It was like giving with one hand and taking away by another.

There was no question of compulsion of any province, much less of part of a province, which was nowhere mentioned in the Plan of 16 May, for the provinces were free to opt out of their groups after the first general elections under the new constitutional arrangements. This was sufficient safeguard for the freedom of the provinces. The position of provinces *vis-a-vis* groups was better than their position *vis-a-vis* the Union Centre, for in the latter case they could only ask for a reconsideration of the terms of the constitution after a period of ten years. Thus, it was clear that the Congress's acceptance of the British Govern-

12. V.P. Menon, op. cit., p. 332.

ment's statement of 6 December was no acceptance at all.

The Muslim League Working Committee met at Karachi on 29 January 1947. In its resolution it referred to the reservation in the Congress resolution on grouping and asserted that the qualifying clauses conferred the right of veto within the section on a province and what was more absured on a "part of the province" as well as on the Sikhs in the Punjab, and, therefore, they completely nullified the so-called acceptance by the Congress of the 6 December Statement. The League demanded that, since the Congress, the Sikhs and the Scheduled Castes had not accepted the Statement, the British Government should declare that the plan of 16 May had failed and the Constituent Assembly should be dissolved.

The Congress members of the Interim Government again demanded of the Viceroy to ask for resignation of the Muslim League members from the Government. The Viceroy passed on the demand to the leader of the Muslim League group who, in a spirited reply, emphasised that neither the Congress nor the Sikhs had accepted the Statement of 16 May and thus had no greater right to have their representatives in the Government than had the Muslim League. He, therefore, rejected the demand for resignation of the Muslim League members. The Congress reiterated its demand for their resignation, and Mr. Patel in a Press interview threatened that the Congress would withdraw from the Government if the League were allowed to remain in it.

The situation was thus heading towards a crisis. The British Government was faced with a dilemma of their own making. They could not maintain that the Congress had accepted the plan of 16 May as interpreted and clarified by the British Government itself, nor could they hold that it had any greater right to remain in the Government than had the Muslim League which had accepted the British Government's interpretations contained in their Statement of 6 December 1946. They were also alive to the very serious consequences which would follow if the League were forced out of the Government. As has often happened in British history, things had gone out of hands because of failure to face up to realities and to take timely action.

To resolve the deadlock created by their own weak-kneed and wavering policy, the British Government came out with another statement on 20 February 1947, announcing their "definite intention to take the necessary steps to effect the necessary transference of power into responsible Indian hands by a date not later than June 1948".[13] They desired "to hand over their responsibility to authorities established by a constitution approved by all parties in India in accordance with the Cabinet Mission's Plan,"[14] but noted that "unfortunately there is at present no clear prospect that such a constitution and such authorities will emerge."[15] The Statement added that His Majesty's Government had agreed "to recommend to Parliament a constitution worked out, in accordance with the proposals made therein [Statement of 16 May, 1946], by a fully representative Constituent Assembly. But if it should appear that such a constitution will not have been worked out by a fully representative Assembly before the time mentioned in paragraph 7 [June 1948], His Majesty's Government will have to consider to whom the powers of the Central Government should be handed over, on the due date, whether as a whole to some form of Central Government for British India or in some areas to the existing Provincial Governments, or in such other way as may seem most reasonable and in the best interests of the Indian people."[16] Referring to the alternatives Sir Stafford Cripps, in his speech in Parliament on 5 March 1947, said, "it might be some form of combined government, for parts of India, depending upon what seems best and most helpful for the future of India."[17]

This statement clearly foreshadowed the emergence of Pakistan. Events were inexorably moving towards this end and, paradoxically enough, the intransigence of the Congress itself was helping bring about the consummation which it otherwise detested and dreaded. Penderel Moon, author of *Divide and Quit* aptly remarks that it was almost as if a "curse" had

13. C. H. Phillips, op. cit., p. 392.
14. Ibid.
15. Ibid.
16. Ibid., p. 393.
17. Ibid., p. 397.

been laid on Mr. Nehru and some of his colleagues, causing them "to act in such a way as to bring about exactly the opposite result to that which they intended. They passionately desired to preserve the unity of India ; they consistently acted so as to make its partition certain."[18]

About this time some important developments took place which showed the intensity of Muslim feeling against the iniquitous policies pursued by the British-Congress "combine" in the country. This "combine" had succeeded in imposing on the Punjab—a Muslim majority province—a Ministry dominated by the Congress and the Sikhs with a puppet Muslim Premier. The Ministry, in an effort to stifle the voice of the Muslim majority, had clamped rigorous restrictions on civil liberties in the province. The order banning the Muslim League National Guards, a disciplined and peaceful organisation which had never indulged in any unlawful activity, precipitated matters. The police arrived at the office of the Punjab Provincial Muslim League, Lahore, to carry out the search at about 9·30 a.m. on 24 January 1947. The order, being arbitrary and unjust, was defied by Mian Iftikharuddin who happened to be present in the office. Within a few minutes other prominent leaders—Nawab Iftikhar Husain of Mamdot, Mian Mumtaz Daultana, Sardar Shaukat Hayat Khan, Malik Feroz Khan Noon, Sayed Amir Husain Shah, among others—arrived on the scene. All of them defied the order and offered themselves for arrest. This touched off a large-scale civil disobedience movement which surprised everyone by its disciplined and peaceful character, even though no prior preparations had been made for it. It was also joined by large numbers of students and women.

Every day batches of Muslims led by some prominent Muslim League defied the orders under Section 144 and courted arrest. Among these leaders were Mian Bashir Ahmad, member of the Working Committee of the All-India Muslim League, Malik Lal Khan, a former President of the Punjab Congress Committee, Nawab Jamal Khan Leghari, Sufi Abdul Hamid, Dr. Omar Hayat Malik and Allama Alauddin Siddiqi. All

18. Penderel Moon, *Divide and Quit*.

sections of the Muslims throughout the province wholeheartedly joined the movement and cheerfully faced lathi-charge, tear gas and even firing. Even purdah-observing women came out, took part in the demonstrations and went to jail. The women demonstrators were led by prominent ladies including Begum Shah Nawaz, Begum Bashir Ahmad, Begum Tasadduq Husain, Fatima Begum, Miss Mumtaz Shah Nawaz and also Begum Hidayetullah from Sind. A young Muslim girl somehow managed to climb up the walls of the Punjab Civil Secretariat where she pulled down the British flag and planted the Muslim League flag to the great delight of the people. An idea of the forbearance and non-communal attitude of the Muslim League demonstrators can be formed from the fact that there was no Hindu-Muslim clash and a huge procession passed off peacefully on Beadon Road, even though a block of stone was thrown from a house-top killing a student. The Provincial Government, of which the Congress formed a dominating element, resorted to the same ruthless methods of repression in its attempt to beat the Muslims into surrender and submission as the Congress had fought against previously in espousing the cause of civil liberties against the British Government.

A movement which represented such unprecedented popular upsurge and determination could not but shake the foundations of a government, even though it was composed of the solid phalanx of British authority, Hindu Congress, Akalis, and Unionist feudal landlords. Ultimately the Ministry was forced to yield to the demand for restoration of civil liberties by withdrawing the ban on the Muslim League National Guards and on meetings and processions on 25 February. Unable to face the tide of popular indignation, the Chief Minister Malik Khizr Hayat Khan resigned on 2 March. The people of the Punjab were thus delivered from the stranglehold of an unpopular and tyrannical regime.

The leader of the Muslim League Party, Nawab Iftikhar Husain Khan of Mamdot, was called upon to form the Ministry, and he accepted the invitation for he was in a position to do so. But before he could submit the list of Ministers the Hindus and

Sikhs resorted to violent demonstration in a bid to prevent the formation of the Ministry. As Penderel Moon remarks: "The Sikh leader, Master Tara Singh, raised the slogan 'Pakistan Murdabad' and brandishing a sword shouted, 'Raj karega Khalsa baqi rahe na koi' (The Sikhs will rule, none else will survive). This foolhardy bravado brought at once its own nemesis."[19] The Governor, Sir Evan Jenkins, did not follow up the invitation he had issued. Instead he used the disturbances provoked by the Hindus and the Sikhs as a pretext for suspending constitutional government and imposing Governor's rule. This is yet another evidence of the British Government's antipathy towards the Muslim League at that time.

In two other provinces, Assam and N.-W.F.P., the high-handed conduct of the Congress Ministries had forced the Muslims to resort to direct action. Under an iniquitous policy called the Line System the Congress Government in Assam was ruthlessly evicting the Muslim settlers and demolishing their settlements with the help of elephants. They did so only from fear that the Muslim settlers who were cultivating the fallow lands might raise the proportion of the Muslims in the population of the province! The Congress claiming to be a "national" body would rather have the land lie barren than tolerate the Muslims cultivating it. The Muslim League movement against this eviction policy continued for several months and was withdrawn only on the announcement of the Partition Plan.

In N.-W.F.P. too there was a Congress Ministry headed by Dr. Khan Sahib, elder brother of Khan Abdul Ghaffar Khan. This Ministry also was following the same policy in regard to civil liberties as the Unionist-Congress Government of the Punjab. In contravention of the professed principles of the Congress Dr. Khan Sahib's Government had imposed severe curbs on civil liberties. The Muslims who constituted 93% of the population in the province were in particular the target of discriminatory treatment by the Congress Government. Its deliberate policy was to deny the Muslim League opportunities to canvass public opinion in favour of Pakistan. However, this repressive

19. Penderel Moon, op. cit., p. 77.

policy had the opposite effect. Unable to bear the curbs any longer, the Muslim League workers defied the ban on meetings and processions.

The first procession which marched to the house of the Chief Minister was led by a young advocate, Mr. Fida Muhammad Khan. The movement soon spread all over the province. Among the prominent leaders who led the demonstrations and courted arrest were Khan Abdul Qaiyum Khan, Pir Sahib of Manki Sharif, Khan Samin Jan Khan. The Government took recourse to all repressive methods—lathi charge, tear gas, firing and ill-treatment in jail. Here also purdah-observing women who had never taken part in any public demonstration came out in their thousands and faced all manner of repression and suffering. The Congress Government of the Frontier province exceeded even the British authorities and the Unionist Government of the Punjab in the ruthlessness with which it dealt with the people. Processions were wantontly fired upon resulting in several deaths. A search of Muslim League prisoners in Peshawar Jail was ordered. The order was defied. The police opened fire killing two Muslim League workers, Syed Mubark Shah and Zafar, and many were seriously injured. Even the supply of drinking water was discontinued and poisonous gas was released in the cells of the prisoners. But nothing could dampen the people's enthusiasm or break their spirit.

Things took such a serious turn that the Viceroy, Lord Mountbatten, paid a special visit to Peshawar to make an on-the-spot study of the situation on 28 April 1947. He was greeted by a record crowd of two lakhs in Cunningham Park, waving Muslim League flags and demanding Pakistan, which deeply impressed him. After his discussions with the Governor Sir Olaf Caroe, the Chief Minister Dr. Khan Sahib, and the Muslim League leaders who were specially released for the occasion, the Viceroy was convinced that a referendum would have to be held to enable the people of N.-W.F.P. to decide whether they would join Hindustan or Pakistan.

The movement continued with unabated vigour and came to an end only when the Quaid-i-Azam, in his broadcast talk on 3

June 1947, appealed to the Provincial Muslim League "to withdraw the movement of peaceful civil disobedience which they had perforce to resort to" and called upon the Muslims to organise and face the referendum with "hope and courage". At the same time he expressed his appreciation of the sufferings and sacrifices made by all the classes of Mussalmans and particularly the great part the women of the Frontier played in the fight for our civil liberties."[20] As a result of the movement there came about a radical change in the public opinion and the people of N.-W.F.P. were disillusioned with the Congress and convinced that their destiny lay with the establishment of Pakistan.

The civil disobedience movement in the Punjab, N.-W.F.P. and Assam were significant events in the final stage of struggle for the creation of Pakistan. They removed some of the obstacles in the march of the Muslims towards their goal of freedom. They also disproved the unfounded charge that the Muslims were unwilling to make sacrifices or afraid of coming into clash with the powers which stood in the way of attainment of freedom.

Another important development during this period concerned the budget of the Interim Government. It exposed the inconsistency between the professions and the practices of the Congress leaders and put them in a quandry. Mr. Liaquat Ali Khan, Finance Member, decided that the budget of a Government representing the people should not be a conventional budget which was merely an attempt to balance income and expenditure ; it should have certain social objectives in the interest of the people. The situation was that Indian Big Business had made enormous profits through anti-social practices during the War at the expense of the common man who groaned under the burden of high prices, low incomes and shortage of goods. To give some relief to the hard-pressed people and to make a beginning in the way of social and economic justice Mr. Liaquat Ali Khan included in his budget proposals to levy a special tax of 25% on incomes above Rs. 100,000 and a graduated tax on capital gains exceeding

20. *Speeches by Quaid-i-Azam Jinnah, Governor General of Pakistan* published by Government of Pakistan, p. 2.

21. Ibid.

Rs. 5000. He also made proposals for the nationalisation of the Reserve Bank and for control of speculation on the stock market and on the commodity and bullion exchanges.

In his budget speech Mr. Liaquat Ali Khan dwelt on the circumstances which had made India a land of "glaring contrasts and disparities" and "concentration of wealth in fewer and fewer hands and, inevitably, the use of that wealth for the purpose of tightening the stranglehold of Big Money over the economic life of the country as a whole by the acquisition of businesses, companies, public utilities, and the press."[22] Such conditions, he said, could only be regarded as "a negation of the principles of social justice". He affirmed his faith in "the Quranic injunction that wealth should not be allowed to circulate only among the wealthy, and the stern warning given against accumulations of wealth in the hands of individuals."[23] The budget proposals had been formulated against this background and Mr. Liaquat Ali Khan modestly claimed that the proposals represented only "the first stage of a policy of social justice and development which it will require years to bring to full fruition."[24] To implement this policy he proposed the setting up of a Commission to investigate the accumulation of wealth arising from tax evasion.

Mr. Liaquat Ali Khan discussed his budget proposals, in the first instance, with the Viceroy, Pandit Nehru and Dr. John Mathai, formerly Finance Member and then Supply Member, all of whom approved the proposals. They were then placed before the full Executive Council or Cabinet which also approved them without any voice of dissent. The minutes of the Cabinet meeting stating that the Cabinet had approved the budget proposals were circulated by the Cabinet Secretariat under signature of its Joint Secretary, Mr. H. M. Patel, and were duly confirmed by the Finance Member, Mr. Liaquat Ali Khan. These facts are attested by two responsible persons[25] who had inside knowledge of these

22. Chaudhri Muhammad Ali, *Emergence of Pakistan*, Columbia University Press, New York, 1967, p. 106.

23. Ibid.

24. Ibid.

25. *Vide* Ibid., and Mr. Mumtaz Hasan's article in *Morning News*, Karachi, dated 23 March 1968.

developments, namely, Chaudhri Muhammad Ali, who was Financial Adviser, Department of Supply in the Government of India at the time, and Mr. Mumtaz Hasan who was Private Secretary to the Finance Member, Mr. Liaquat Ali Khan.

What happened after the presentation of the budget by Mr. Liaquat Ali Khan in the Assembly is a sad tale of political chicanery and double-dealing. The first public reaction to the budget was one of spontaneous welcome and it was hailed as "the poor man's budget". But soon the big capitalists and economic *bourses* who had been the suppliers of the financial sinews with which the Congress had been fighting its political battle made strong protests to the Congress leaders, particularly Messrs. Nehru and Patel, for letting them down. They mounted up a powerful campaign in the press which was under their control and the cry was raised that the budget proposals were designed to ruin Hindu business men. The strongest opponent of the proposals was, of course, Sardar Patel who was known to be hand in glove with the Hindu capitalists and industrialists. But even Maulvi Abul Kalam Azad, though recognising that the budget was based on Congress declarations, took the view that it was, in fact, "a clever device for discrediting the Congress," for he felt that the proposed taxation measures would have "impoverished all rich men and done permanent damage to Commerce and Industry."[26] The charge that the budget proposals were inspired by communal motives was answered by the well-known weekly paper, *The Indian Finance*, itself as follows: "It is inevitable that any system of taxation should impose more burdens on the majority community than on the minority; and if one community should have a higher proportion of the rich than the other, it can hardly be an argument for the Finance Member desisting from the measures which he should have proposed even with perfect freedom from communal bias".[27]

The most surprising and deplorable aspect of the episode was the *volte face* of Pandit Nehru, the greatest champion of socialism. Having agreed to the proposals in the Cabinet meeting, it was

26. Abul Kalam Azad, *India Wins Freedom*, pp. 175-6.
27. Chaudhri Muhammad Ali, op. cit., p. 110.

his duty as a man of principle and conviction to stand by them. But he allowed himself to be overborne by the pressure of the capitalists and his reactionary colleagues. He went back on his agreement and denied that the budget represented the views of the Government as a whole. He went further and resorted to underhand methods to get the proposals rejected. Under Pandit Nehru's instructions the Chief Whip of the Congress Party, Mr. Satya Narain Sinha, canvassed members of the Select Committee including officials appointed to consider the budget proposals to throw them out. His canvassing was naturally regarded as the wish of the Government, for Pandit Nehru was its Vice-President. The underhand tactics adopted by Pandit Nehru shocked Mr. Liaquat Ali Khan who wrote to him about it. In reply Pandit Nehru denied that he had agreed to the proposals and said the proposals needed readjustment.

The propaganda by Hindu businessmen and industrialists, the Hindu press and their Congress supporters continued with unabated fury. The discussions that followed in the Cabinet were bitter and acrimonious. Be it said to the credit of Mr. Liaquat Ali Khan that he remained calm and unruffled. In the midst of all the turmoil and furore he stood firm like a rock. He held fast to the principles on which his budget was based, though he remained ready and willing to consider readjustments in the details of the budget proposals. Ultimately after a good deal of negotiations agreement was reached to reduce the rate of the Business Profits Tax from 25% to $16\frac{2}{3}$% and, for purposes of Capital Gains Tax, to exclude personal effects from capital gains. The Congress leaders were happy to get away with these concessions for their financial backers.

From this whole episode the Muslim League emerged with moral victory as the champion of the common man, the have-nots. The Congress, on the other hand, suffered exposure of its double-faced policy. Even Leonard Mosley is constrained to remark: "Liaquat's budget had heavily soaked the millionaire backers of the Congress and showed up the hypocrisy of the Party's claim to be socialist."[28] Incidentally Mr. Liaquat Ali Khan's

28. Leonard Mosley, The Last Days of the British Raj, p. 79.

budget also served another purpose. It injected in the Congress leaders' minds some realistic thinking on the question of partition. It had a chastening effect on their irrational opposition to Pakistan. It made them think that if some form of united India were forcibly imposed, the Muslims as a community mainly of the have-nots would combine with the other have-not elements of the Indian population and make things difficult for the caste Hindus who commanded most of India's wealth and means of wealth and whose interest was the main concern of the Congress. They, therefore, reached the conclusion that the better alternative would be to let the Muslim areas separate. Though they were thus getting mentally reconciled to the idea of partition, they kept up the semblance of opposition to Pakistan in public for some more time.

CHAPTER 6

BREAKING THE DEADLOCK

The British Government found themselves on the horns of a dilemma of their own making. On the one hand, they did not wish to displease the Congress ; on the other, they could not think of expelling the Muslim League from the Interim Government. It was against this background that His Majesty's Government took a momentous decision to effect an early transfer of power, and in their wisdom they thought a change in Viceroyalty was necessary. An unprecedented step was taken—Lord Wavell's appointment was terminated in the middle of his term of office. Undoubtedly he had shown a sense of independence and impartiality in the face of pulls and pressures. He was not to the liking of Mr. Attlee's Government in England and their Congress friends in India. He was not a man of many words, but he had a soldier's straightforwardness and integrity and had tried to do his duty without fear or favour. He had done his best to ensure implementation of the Cabinet Mission's Plan according to the true meaning of its terms and provisions as clarified by the Cabinet Ministers themselves. If it did not materialise, the fault was not his. The manner in which he was removed from office was generally regarded as lacking in grace, but he himself took it with stoic calm and dignity.

At this stage a clandestine effort was made by Mr. Gandhi through his personal emissary in England, Sudhir Ghosh, to persuade Lord Pethick-Lawrence and Sir Stafford Cripps to agree to the Interim Government being treated as a Dominion Government with Pandit Nehru as *de-facto* Prime Minister. But in spite of their anxiety to appease the Congress, they turned down the suggestion, for, as they said, "the British Government honestly

did not believe that they could hand over the whole power to the majority party and leave it to the majority to decide the fate of the minorities, in particular the ninety million Muslims who were not exactly a minority but the second majority in India."[1] Sir Stafford Cripps, according to Sudhir Ghosh, told him: "What you really want is that we should be partial to the Congress and enable them to coerce the Muslim League. This we cannot do."[2]

Lord Mountbatten who succeeded Lord Wavell arrived in India on 22 March 1947. He came with instructions from His Majesty's Government to ascertain whether there was any chance of successful implementation of the Cabinet Mission's Plan for transfer of power. The new Viceroy's conduct from the beginning showed his proclivities towards one of the major parties concerned—the Congress. Obviously he was very different from his predecessor, not only in manner and deportment, but also conception and performance of duty. After his talks with party leaders Lord Mountbatten was soon convinced that there was no chance of the Cabinet Mission's Plan being successfully implemented. He prepared another plan which he discussed with the provincial Governors at a conference on 15 and 16 April. He then moved to Simla where he had secret talks with Pandit Nehru who was staying as his guest. This was evidence of Lord Mountbatten's partiality for the Congress and the Hindus. Mr. V. P. Menon, then a high official of the Government of India, acted as an intermediary in these confabulations. With an air of understandable self-adulation Mr. Menon in his book, *The Transfer of Power in India*, reveals the part he played in the secret parleys, as will be seen presently.

The plan drawn up by Lord Mountbatten envisaged demission of authority to the provinces, or to such confederation of provinces as might decide to group themselves in the intervening period before the actual transfer of power. It further provided that the members of the Legislative Assemblies of Bengal and the Punjab should meet separately in two parts consisting of representatives of predominantly Muslim and non-Muslim areas; if both sections of these Assemblies voted for partition, that pro-

1. Sudhir Ghosh, *Gandhi's Emissary*, London, 1968, p. 14.
2. Ibid., p. 205.

vince would be partitioned; in the event of partition of Bengal the predominantly Muslim disrtict of Sylhet in Assam would have the option of joining the Muslim province; an election would be held in N,-W.F. Province to ascertain the wishes of the people of that province. On 2 May the Viceroy's principal aides, Lord Ismay and Sir George Abell, took the plan to London for the consideration of His Majesty's Government who approved it with some amendments.

The Congress Working Committee had in the beginning of March passed a resolution demanding the division of the Punjab into two provinces comprising the Muslim majority and non-Muslim-majority areas. A clue into the motives which inspired this demand is to be found in a letter written by Sardar Patel to a member of the Working Committee. He wrote: "If the League insists on Pakistan the only alternative is a division of the Punjab and Bengal. I do not think that the British Government will agree to division. In the end they will see the wisdom of handing over the ruins of Government to the strongest party. Even if they do not, it will not matter. A strong centre with the whole of India—except East Bengal and part of the Punjab, Sind and Baluchistan—enjoying full autonomy under the Centre will be so powerful that the remaining portions will eventually come in."[3] This resolution was passed in the absence of Mr. Gandhi who was away in Behar. In keeping with his opposition to the division of India as a whole he was also opposed to the division of the provinces. When he asked for an explanation of the reasons for the passage of this resolution, Pandit Nehru wrote to Mr. Gandhi as follows: "About our proposal to divide the Punjab, this flows naturally from our previous decisions. These were negative previously, but now the time for a decision has come and merely passing resolutions, giving expression to our views, means little. I feel convinced, and so did most of the members of the Working Committee, that we must press for this immediate division so that reality might be brought into the picture. Indeed, this is the only answer to partition as demanded by Jinnah."[4]

3. *Peyarelal, Mahatma Gandhi, the Last Phase*, II, p. 83.
4. Leonard Mosley, op. cit., p. 101.

The Congress leaders might or might not have realised it, but in demanding separation of non-Muslim-majority areas from the rest of the Punjab they had at last admitted the Congress to be what it had always actually been—a Hindu body! It also became apparent that since they themselves had asked for division of a Province on the principle of Muslim and non Muslim-majority areas, they could not any longer resist the demand for division of the country on the same principle. If a non-Muslim minority could not live under a bare 56% Muslim majority in one province, how could the Muslims of the subcontinent as a whole be expected to live under the perennial domination of a 75% Hindu majority?

Lord Mountbatten pounced on this resolution as a weapon to wear down the Congress leaders' apparent opposition to partition of India. According to Leonard Mosley, the Viceroy tried to persuade Sardar Patel as follows: "Think of the peace if the Muslims could be banished once and for all to their own (very small and unworkable) country. No opposition to Congress plans. No cunning campaign against the owners of the Congress money-bags. A free India under a one-party regime, free to carry out its plans without interference."[5] Thus, the Viceroy advocated partition not out of any sense of fairplay or any regard for the legitimacy of the Muslim claim to a share in freedom but because of his eagerness to help the Congress build up a mighty Hindu State which would one day absorb the remaining areas. No wonder Lord Mountbatten's persuasion worked on Sardar Patel, and the former jubilantly told his staff, "It worked! He seemed like such a hard nut, yet once I cracked the shell, he was all pulp inside!"

At this stage it became clear that the Congress leaders in the Interim Government, Messrs Nehru and Patel, began to act on their own, taking vital decisions without bothering to consult their mentor, Mr. Gandhi, whose word previously had been law for them. They were already in power, and they thought they could reach the final stage of transfer of complete, sovereign power

5. Leonard Mosley, op. cit., p. 101.

without seeking guidance or aid from Mr. Gandhi. Maulana Azad, whom the Congress had previously made much of as a Muslim divine, was also kept out of the secret parleys between the Viceroy and Messrs Nehru and Patel. He had served the purpose of the Congress and it was no longer necessary to flaunt him as the Rashtrapathi of the Congress.

The demand for partition of the Punjab and Bengal was clearly inspired by spite towards the Muslims and a desire to cause as much damage to Pakistan as possible. The Quaid-i-Azam in a statement characterised the Congress demand for division of provinces as a "sinister move" and asserted that the principle underlying the Muslim demand for partition was that Muslims should have a national home and national State in their homelands comprising the six provinces of the Punjab, N.-W.F.P., Sind, Baluchistan, Bengal and Assam. If the Punjab and Bengal were partitioned all the other provinces also should be cut up in a similar way which would strike at the root of the administrative, economic and political life of the provinces. He suggested that an exchange of population would have to take place sooner or later which could be effectively carried out by the respective Governments of Pakistan and Hindustan. He finally demanded the division of the Defence forces between the sovereign States of Pakistan and Hindustan which clinched the issue of partition.

As mentioned earlier, Mr. V. P. Menon, in his book, describes with evident satisfaction the part he played in bringing about a mental alliance between the Viceroy and the Congress leaders, particularly Sardar Patel. That he was over-stepping the limits of a Government official and acting more as a partizan of the Congress did not seem to matter to him or to the Congress leaders or to the Viceroy. He claims to have persuaded Pandit Nehru and Sardar Patel to accept the proposal for transfer of power on Dominion Status basis to the Central Governments representing the predominantly Muslim and non-Muslim areas which would gain for Congress Britain's "friendship and goodwill". Meanwhile, the plan sent earlier to London was received back, and it was to be discussed by the Viceroy with the Congress and Muslim League leaders on 17 May. Before the meeting could

be held, Lord Mountbatten showed the plan to Mr. Nehru but not to the Quaid-i-Azam—another example of his partiality. Pandit Nehru immediately turned it down and the conference of leaders scheduled for 17 May was postponed. Pandit Nehru was particularly opposed to the provinces initially becoming independent and having the freedom to form confederations.

There were then secret confabulations between Lord Mountbatten, Pandit Nehru and Mr. Menon. As the result of these talks certain Heads of Agreement were drafted by Mr. Menon as follows: (1) In the event of decision being in favour of the central authority in India power should be transferred to the existing Constituent Assembly on a Dominion Status basis. (2) In the event of decision in favour of two sovereign States in India, the Central Government of each State should take over power in responsibility to their respective Constituent Assemblies, again on a Dominion Status basis. (3) The transfer of power in either case should be on the basis of the Government of India Act of 1935 modified to conform to Dominion Status. (4) The Governor-General should be common to both the Dominions, the present Governor-General to be reappointed. (5) A commission should be appointed for the demarcation of boundaries in the event of a decision in favour of partition. (6) In the event of two Dominions coming into being the Armed Forces in India should be divided between them. A new plan was drafted and was formally shown to the Congress and the Muslim League leaders. Pandit Nehru, on behalf of the Congress, signified acceptance of the plan generally. The Muslim League leaders were non-committal.

It was at this stage that a deal was struck between the Viceroy and the Congress leaders. The original date for transfer of power was June 1948. It was advanced by ten and a half months at the insistence of the Congress leaders. The reasons for this change have to be carefully analysed. Britain's main anxiety was somehow or other to keep Hindu India within the Commonwealth, and it was prepared to pay a price for it even at the cost of the vital interests of the Muslims. The Hindu Congress leaders signified willingness to agree to partition only on condition that power be transferred within two and half months, e.g. by 15 August 1947,

because they had at the back of their mind the idea that it would be well-nigh impossible for Pakistan to establish and consolidate itself within this extremely short period, and sooner rather than later it would be reabsorbed in India. The Viceroy and the Congress leaders thus accommodated one another. The Viceroy complimented Mr. Menon by writing to him: "You were the first person I met who entirely agreed with the idea of Dominion Status, and you found the solution which I had not thought of, of making it acceptable *by a very early transfer of power.*"[6] All that mattered to Lord Mountbatten was to keep the Hindu leaders humoured and establish his credit with them, although he was aware, that this plan was manifestly unjust and injurious to Pakistan for he said: "What are we doing? Administratively it is the difference between putting up a permanent building, a nissen hut or tent. As far as Pakistan is concerned we are putting up a tent. We can do no more."[7]

Lord Mountbatten tried methods of both persuasion and bluster to make the Quaid-i-Azam agree immediately to his revised plan and give his consent in writing. If such agreement were not immediately forthcoming Lord Mountbatten was persuaded by Mr. Menon to obtain His Majesty's Government's approval for an alternative plan for "demission of power under the present constitution," which, he said, would not require the agreement of Indian leaders. According to this plan, "Provincial subjects would be demitted to existing Provincial Governments and Central subjects to the existing Central Government."[8] This Demission Plan was in accord with the wishes of the Congress leaders, for Sardar Patel in a statement on 7 May 1947 had said: "The Viceroy should stand out and let the Interim Government function. . . . If there are conflicts within the Cabinet over any question, the majority would rule."[9] The Demission Plan for which the Viceroy obtained His Majesty's Government's approval

6. Leonard Mosley, op. cit., p. 127.
7. Campbell-Johnson, *Mission with Mountbatten*, p. 87.
8. Ibid., pp. 85-6.
9. Quoted in Chaudhri Muhammad Ali's book *Emergence of Pakistan*, p. 140.

was like a sword of Damocles hanging over the head of the Muslim League. If executed, it would certainly have placed the Muslims entirely at the mercy of the Hindu majority.

When Lord Mountbatten held out the threat of this Demission Plan he was surprised by the Quaid-i-Azam's reaction. Here was a man who could neither be cajoled nor coerced. He remained calm and only remarked that he could not stop such a step in any event. According to Campbell-Johnson, "Mountbatten felt that Jinnah's reaction was both abnormal and disturbing. It was certainly shrewd. The *ballon d'essai* had gone up and come down again, providing only the evidence that Jinnah had a very steady nerve."[10] Any other man in place of the Quaid-i-Azam would have succumbed under this overwhelming pressure. By his unexampled courage and sagacity the Quaid-i-Azam saved the Muslim nation and made the emergence of Pakistan certain. Wiser counsels prevailed and the threat of the Demission Plan was not carried out.

Having failed to bluff the Quaid-i-Azam, Lord Mountbatten left for London on 18 May to obtain the British Government's approval for his revised plan, which provided for partition of India along with the division of the Punjab and Bengal.

We have already discussed the main reason which led to the Congress leaders' acceptance of the partition plan in private, although they kept denouncing it in public till the last moment. Various other theories have been put forward. Maulana Azad, who in his book tells the inside story of the Congress leaders' mental reactions at the time, puts forward two explanations—first, Sardar Patel, being exasperated by the stiff resistance put up by the Muslim League *bloc* inside the Interim Government, thought it better to yield certain territories rather than face frustration at every step; second, the Viecroy, especially Lady Mountbatten, exercised an irresistible fascination on Pandit Nehru which accounts for the readiness with which he fell for Lord Mounbatten's plan for partition. Maulana Azad says : "Jawaharlal was also greatly impressed by Lady Mountbatten. She is not only extremely intelligent but had a most attractive and friendly

10. Campbell-Johnion, op. cit., p. 93.

temperament."[11] Leonard Mosley too throws light on this aspect of Nehru-Mountbatten relations as follow: "By the end of their three-hour talk Nehru was completely won over and Mountbatten had the measure of his man. He could be flattered. He could be persuaded. . . . He was Mountbatten's man from that moment on, and his attachment to the Mountbatten menage was much increased by his subsequent contact with Lady Mountbatten. He had long been a widower, and he was a lonely man Lady Mountbatten filled an important gap in his life. He began by admiring her for the way she queened it over the great Viceregal banquets or vast garden parties; but it was her obvious sympathy for India and her practical desire to help the Indian people which stirred in him emotions which were soon much stronger than mere admiration."[12] These explanations, though interesting, do not disclose the whole truth.

It is not, of course, possible to know for certain all that transpired between the Viceroy and Messrs Nehru and Patel. Part of it is known and has been discussed before; part of it can be inferred from circumstantial evidence which points to an Anglo-Hindu understanding on the following lines: (1) The area of Pakistan should be squeezed to the narrowest possible limits so that it would be confronted with the problem of Kashmir and canal waters. (2) The original date for the transfer of power should be advanced so as to make it well-nigh impossible for Pakistan to set up a new administrative machinery. (3) Pakistan at its birth should be inundated with a torrent of refugees driven out of India. (4) All possible obstructions should be placed in the way of transfer of civilian and military personnel, office records, army stores and armaments to Pakistan. (5) Hindu business men and bankers should be immediately pulled out of Pakistan in order to paralyse its economy. (6) The pretence of opposing Pakistan in public, while secretly agreeing to partition, should be kept up, so that their real intentions regarding Pakistan might not be revealed. Light is thrown on this aspect of the Congress leaders'

11. Abul Kalam Azad, *India Wins Freedom*, op. cit., p. 184.
12. Leonard Mosley, op. cit., p. 94.

intentions by Leonard Mosley. In the course of a conversation with him in 1960 Pandit Nehru stated: "The truth is that we were tired men and we were getting on in years too. Few of us could stand the prospect of going to prison again—and if we stood out for united India as we wished it, prison obviously awaited us. We saw the fires burning in the Punjab and heard every day of the killings. The plan for partition offered a way out and we took it." He added: "But if Gandhi had told us not to, we would have gone on fighting, and waiting. But we accepted. We expected that partition would be temporary, that Pakistan was bound to come back to us."[13]

The Sikhs, egged on by the Hindus, were hatching a plot to wreck the plan for partition of the Punjab. On 5 August after a meeting of the Partition Council in the Viceroy's office in New Delhi, Lord Mountbatten produced before Pandit Nehru, Sardar Patel, Quaid-i-Azam and Mr. Liaquat Ali Khan a Criminal Investigation Officer from Lahore sent by Sir Evan Jenkins, Governor of the Punjab. A revealing account of the information brought by this officer is given by Leonard Mosley who had access to Government of India records. He says: "The C.I.D. officer brought considerable documentation with him. Trouble-makers had been arrested in Lahore, Amritsar and other centres in the Punjab. They had been closely questioned. As a result the C.I.D. were convinced that not only were several Sikh plots afoot to sabotage the plans for partitions, but that several of the Sikh leaders were implicated. He produced letters from a number of Sikh personalities and copies of leaflets and instructions issued to Sikh Gurudwaras. One plan was to blow up the canal system in the West Punjab; another was to attack trains proceeding to Pakistan; a third to force Muslim villagers to leave their homes in East Punjab and then ambush and kill them on the way and finally there was a plot to assassinate Mr. Jinnah as he rode to power in Karachi in the celebrations of 14 August 1947—the day before Pakistan Independence Day. The documentation was sufficiently authentic to convince everyone present of its seriousness. Jinnah and Liaquat Ali Khan at once

13. Leonard Mosley, op. cit., p. 190.

demanded the arrest of Master Tara Singh and other Sikh leaders mentioned in the plot. It seemed at least reasonable that in the face of such proof—backed as it was by repeated warnings of trouble from Jenkins—the Sikh trouble-makers should be put out of the way until the independence arrangements should be completed .... Yet once more Mountbatten hesitated. On this occasion Lord Ismay urged him to take action .... Step by step Delhi had been advised of the increasing gravity of the situation in the Punjab. The warnings were there. The Viceroy had at least three chances to avert a massacre, but each time—from weariness, from lack of foresight or from aversion to another clash with Jinnah—he looked the other way. The result was disastrous."[14] As a matter of fact, there could be no question of any clash with Mr. Jinnah in this matter, for he had himself demanded immediate action to avert the trouble.

In this connection it may recalled that the Viceroy had promised the Muslim League members of the Interim Government to take action against trouble makers. He also told Maulana Azad: "Once partition is accepted in principle I shall issue orders to see that there are no communal disturbances anywhere in the country. If there should be the slightest agitation I shall adopt the sternest measures to nip the mischief in the bud."[15] The assurance was not honoured as Maulana Azad himself says: "The whole world knows what was the sequel to Lord Mountbatten's brave declaration."[16] In view of this overwhelming evidence it is reasonable to infer that there was between Lord Mountbatten and the Congress leaders an understanding to allow conditions to take a turn which would have the effect of strangulating Pakistan at its birth.

British writers like Penderal Moon and Ian Stephens complain that the Muslim League leadership in pre-independence India knew little or nothing about the Sikhs and made no efforts to concilitate them and reassure them about their position in the contemplated State of Pakistan. This opinion is not supported by

14. Leonard Mosley, pp. 215-16.
15. Abul Kalam Azad, op. cit., p. 190.
16. Ibid.

facts. Not once but on several occasions the Quaid-i-Azam made gestures to the Sikh community which, however, were not reciprocated. In the course of a speech at Jullundur on 15 November 1942 the Quaid-i-Azam said, "Since I am on the Punjab soil I should like to say that the question between the Hindus and Muslims is an all-India question and the question between the Sikhs and the Muslims is that of Pakistan and, for all practical purposes, it is a question between the Sikhs and the Muslims in the Punjab. If our Sikh friends wish—and we wish—that there should be understanding and settlement betweem them and us, then I tell them, 'let us not talk at each other but let us talk to each other.' We have no designs on our Sikh friends. I only appeal to them to free themselves from extraneous influences, meet us, and I am confident that we shall come to a settlement which shall reasonably satisfy our Sikh friends."[17]

The Quaid-Azam was still more explicit when a group of Sikh students approahed him on 24 March 1944. He told them, "I am of opinion that every community is entitled to the right of self-determination and I do not want to deny this right to the Sikhs. But you must send me some scheme showing that the Sikhs are in majority in such and such contiguous territory,"[18] and he added that the League would certainly concede that right. The Sikhs never sent him any scheme.

Answering the question whether he regarded the Sikhs as a sub-national group or a nation, the Quaid-i-Azam at a press conference on 5 August 1944 clarified the position as follows : "It has been brought to my notice that the Sikhs think that I have described them as a sub-national group and feel hurt. This is only a constitutional phrase, which means people belonging to a nation who are scattered all over a given territory or even islands, such as the Muslims are in the minority provinces, and at the time I used the expression 'sub-national group' I made it quite clear that so are the Muslims in certain provinces. I think it was clear at the time I made the speech, and since that question has been

17. Jamil-ud-Din Ahmad, *Speeches and Writings of Mr. Jinnah*, Vol. II, p. 449.

18. Jamil-ud-Din Ahmad, op. cit., Vol. II, pp. 95-96.

asked I again make it clear, if possible more clear. Sub-national group does not mean that the Sikhs are not a nation. I do not dispute that the Sikhs are a nation. The recognised leaders of the Sikhs or their authorised organisation are welcome to send their proposals to me or to Mr. Gandhi or both of us if they like. They should give us their considered demand now and forget the past. So far as the Muslim League is concerned we are ready and willing to meet them in every way."[19] There was no response from the Sikhs.

In the final stages of negotiations for the transfer of power the Muslim League leadership went all out to placate the Sikhs and accommodate their wishes. There could be no better testimony than that of the Maharaja of Patiala who negotiated on behalf of the Sikhs. In his reminiscences published in 1959 the Maharaja discloses that the Quaid-i-Azam had offered a Sikh State about the time of partition. Giving an account of his meeting with the Quaid-i-Azam at a dinner given by Lord Mountbatten, the Maharaja says: "Talks started and offers were made by Mr. Jinnah for practically everything under the sun, if I would agree to his plan. There were two aspects—one was based on the idea of a Rajasthan and the other one for a Sikh State—Punjab minus one or two districts in the south. I told Mr. Jinnah that I could not accept either of his two proposals. Two days later I was asked by Mr. Jinnah to have tea with him. I accepted and went and had tea at his residence in New Delhi. After about half an hour Mr. Liaquat Ali Khan came and discussions began very much on the same lines as those we had two nights before. We again parted unchanged in our own points of view."[20]

In view of these facts the unbiased reader can decide for himself whether the criticism about the Muslim attitude towards the Sikhs is justified. It may be added that, in spite of the horrors of partition, the Muslims' goodwill towards the Sikhs has been demonstrated in the liberal treatment they have always extended to the large number of Sikh pilgrims who are allowed to visit the

19. Ibid., p. 156.
20. *Dawn* and *Morning News*, dated 25 July 1959.

well-kept Sikh shrines in Pakistan every year, the latest instance being Pakistan's decision to hand over to the Sikhs the management of an important Gurudwara in Lahore.

The Sikhs voluntarily chose to throw in their lot with India rather than Pakistan and insisted on the division of the former Punjab province. Whether or not their choice has worked out to their benefit is evident from the treatment they have received in India after partition.

It must be noted that both Mr. Attlee, the then Prime Minister of Britain, and Lord Mountbatten were personally and implacably opposed to the Muslim League and the Quaid-i-Azam. They knew that, at that advanced stage, they could not impose united India on the Muslims. They designed a plan to concede Pakistan on most unfavourable terms and enable India to establish herself as a powerful State, and further to create conditions which would prevent Pakistan from consolidating itself as an independent State, so that it would be merged again in India under pressure of overwhelming circumstances. This is not a mere suspicion. Acharya Kripalani, the then Congress President, persuaded the Hindu bankers and traders of Sind to migrate because, as the Congress would have them believe, it would not be long before they would be able to return triumphantly to their homes. Pakistan, he assured them, could not live for more than a few months and its leaders would soon seek reunion with India. This is corroborated by the American writer, Mr. Selig S. Harrison, in an article entitled "Troubled India and Her Neighbours" as follows: "The prevailing Hindu view that the New Moslem state would be short-lived was expressed by the Congress President at the time of partition by Acharya J.B. Kripalani. 'A strong, economically successful India,' he said, 'can win back the seceding children to its lap. The freedom we have achieved cannot be complete without the unity of India."[21] That these prognosti cations and expectations did not materialise was not due to any lack of thoroughness and effort on the part of the Indian leaders; there were other factors with which they had not reckoned and

21. Selig S. Harrison, *Foreign Affairs*, New York, January 1965.

which saved Pakistan from collapse. These factors were the leadership of the Quaid-i-Azam whose resourcefulness the Congress always under-estimated and the peculiar trait in the character of the Muslims which brings into play their best talents and energies in moments of the greatest stress and danger.

CHAPTER 7

BIRTH OF PAKISTAN

The Statement approved by the British Government and brought by Lord Mountbatten from London referred to the Cabinet Mission's Plan of 16 May 1946 and said that the hope about the major parties co-operating in the working of the Plan had not been fulfilled and, in the absence of agreement, the task of devising a method for ascertaining the wishes of the Indian people had devolved on the British Government. The problem was to find the best practical method of ascertaining the wishes of the people of the areas who were unwilling to accept a constitution that might be framed by the Constituent Assembly. The Statement laid down the following procedure :

(1) The Provincial Legislative Assemblies of Bengal and the Punjab should meet in two parts representing the Muslim majority and the non-Muslim majority districts respectively, the members of the two parts sitting separately would vote on the question whether or not the provinces should be partitioned. If a simple majority of either part decided in favour of partition the province would be divided. (2) In the event of partition being decided upon each part of the Assembly would, on behalf of the areas represented by it, decide whether its constitution should be framed by the existing Constituent Assembly or a new one. (3) As soon as a decision involving partition had been taken for either province a Boundary Commission would be set up the membership and terms of reference of which would be settled in consultation with those concerned. (4) The Legislative Assembly of Sind, would decide whether its constitution should be framed by the existing or a new Constituent Assembly. (5) As regards

N.-W.F. Province a referendum will be made to the electors of the existing Legislative Assembly to choose between the existing and the new Constituent Assembly. (6) If partition of Bengal were decided upon a referendum would be held in Sylhet district to decide whether the district should continue to form part of the Assam province or be amalgamated with the new province of East Bengal. In the latter event a Boundary Commissian would be set up to demarcate the Muslim mojority areas of Sylhet district. (7) If the partition of Bengal and the Punjab were decided upon fresh elections of representatives to the respective Constituent Assemblies would have to be held. (8) Agreements with the tribes of the North-West Frontier of India would have to be negotiated by the proper successor authority.

The Statement expressed the British Government's willingness to transfer power earlier than June 1948 and indicated that legislation would be introduced in Parliament for the transfer of power in 1947 on a Dominion Status basis to one or two successor authorities according as the decisions were taken under the Plan without prejudice to the right of either Constituent Assembly to remain in the Commonwealth or go out.

On June 2 at the historic conference attended by the Quaid-i-Azam, Mr. Liaquat Ali Khan and Mr. Abdur Rab Nishtar on behalf of the Muslim League, Mr. Nehru, Sardar Patel and Acharya Kriplani on behalf of the Congress and Sardar Baldev Singh on behalf of the Sikhs, the Viceroy presented the plan for partition. After explaining how the terms of the Plan were evolved Lord Mountbatten said he had pressed on His Majesty's Government the need for speedy legislation and pointed out that power would be demitted in the first instance on the basis of Dominion Status after which the new government or governments would be completely free to withdraw from the Commonwealth, whenever they so wished. He concluded by requesting assurances from leaders of both parties that they would do their best to have everything worked out peacefully and he asked them to let him know their reactions by midnight.

The President of the Congress, Acharya Kripalani, in a letter to the Viceroy intimated that the Congress Working Committee were prepared to accept the proposals made by His Majesty's Govern-

ment and recommend to His Majesty's Government to do likewise but this was dependent on the acceptance of the proposals by the Muslim League. The Quaid-i-Azam verbally reported to the Viceroy that his Working Committee were hopeful about obtaining the approval of the Council of the All-Andia Muslim League but that constitutionally it would not be possible to reply on behalf of the Council, which could be convened in a week's time. He told the Viceroy that he would go "to his masters, the people" with no intent of wrecking the plan but with the sincere endeavour to persuade them to accept it. Lord Mountbatten tried to hustle the Quaid-i-Azam into making a commitment then and there by holding out a threat in the following words, "Chaos will follow and you will lose your Pakistan for good". But he met with more than a match in the Quaid-i-Azam who with a shrug of his shoulders, replied, "What must be must be". He followed the correct constitutional and democratic course by refusing to make any commitment in writing till the League Council had met and considered the matter. Finding it useless to try any of his blustering tactics or the charms of his personality on the Quaid-i-Azam, the Viceroy requested him at least to nod his head in assent when the next morning he (the Viceroy) told the meeting of leaders that he was satisfied with the verbal assurances he had received from the Quaid-i-Azam. To this the Quaid-i-Azam agreed.

Here it may be noted that Lord Mountbatten at a press conference on 4 June made no secret of his own opposition to partition. This was testified to even by Mr. Gandhi whom the Viceroy saw the same day. In his speech at his prayer meeting Mr. Gandhi completely exonerated the Viceroy and even the British Government of responsibility for partition. He said: "The British Government is not responsible for partition. The Viceroy has no hand in it. In fact, he is as opposed to division as Congress itself".[1]

As late as 31 May Mr. Gandhi had thundered at the Muslims in the following words : "Even if the whole of India burns we shall not concede Pakistan, no, not if the Muslims demand it at the point of the sword".[2] By June 4 he was telling a different story

1. V.P. Menon, op. cit., p. 382.
2. Ian Stephens, Pakistan, London, 1963, p. 170.

and three days later on June 7 he had no hesitation in advising the Congress to approve the partition plan.

Unmistakeable evidence of the anti-Pakistan attitude of Mr. Attlee and his Government is provided by the personal attacks he made on the Quaid-i-Azam in a TV interview on 3 January, 1939 and his reply to a question put by his former Press Secretary, Mr. Francis Williams, in the course of which he stated: "We would have preferred a united India. We couldn't get it, though we tried hard."[3]

This essential opposition of Mr. Attlee and his government and of Lord Mountbatten to partition and the latter's personal attachment with the Congress leaders explain the obstacles which were placed in the way of Pakistan getting its due and consolidating itself as an independent state. In this connection some of the remarks made by John Connel, biographer of Field Marshal Sir Claude Auchinleck are significant. He says: "The sympathy and friendship which the Viceroy established with Nehru have long been a matter of history, but they were factors of major importance and it was significant that Nehru's mind was working in the same direction at the same time".

On the evening of June 3 Lord Mountbatten himself and, at his request, the Quaid-i-Azam, Pandit Nehru and Sardar Baldev Singh broadcast talks on the Partition Plan from the All-India Radio. By common consent the Quaid-i-Azam's talk was the best. He rose to great heights and his speech was characterised by a ring of sincerity, forthrightness and dignity. Referring to His Majesty's Government statement embodying the plan for transfer of power to the peoples of India, he said the world had no parallel "for the most onerous and difficult task which we have to perform".[4] They had to concentrate all their energy to see that the transfer of power was effected in a peaceful and orderly manner. He appealed to every community and particularly Muslim India to maintain peace and order. He prayed that God might guide them to discharge their responsibilities in a wise and statesmanlike manner. Though the plan did not meet in

3. *Times of India*, Bombay, dated 10 April, 1960.
4. Speeches of Quaid-i-Azam as Governor-General, Karachi, p. 1.

some important respects their point of view, he felt it was for them to consider whether the plan as presented to them by His Majesty's Government should be accepted by them as a compromise or settlement. While not wishing to prejudge the decision of the Council of the All-India Muslim League he stated that so far as he had been able te gather on the whole reaction in the Muslim League circles had been hopeful.

Since the plan clearly provided for a referendum to the electorates of the existing Legislative Assembly of N.-W.F. Province on the question whether the Province should join Pakistan or India, the Quaid-i-Azam requested the Provincial Muslim League to withdraw the movement of peaceful civil disobedience which they had perforce to resort to. He called upon the leaders of the Muslim League and Mussalmans generally to organise their people to face the referendum with hope and courage. He felt confident that the people of the Frontier would "give their verdict by a solid vote to join the Pakistan Constituent Assembly".[5] He expressed his appreciation of the sufferings and sacrifices made by all the classes of the Mussalmans and particularly the great part played by the women of the Frontier in the fight for civil liberties. He deeply sympathised with all those who had suffered and those who died or whose properties were subjected to destruction, and added that "it should be the anxiety of everyone to obtain a fair, free and true verdict of the people of the Frontier".[6] He again most earnestly appealed to all to maintain peace and order.

At the end of his speech the Quaid-i-Azam enthusiastically uttered the words "Pakistan Zindabad" which thrilled and sent a wave of joy among millions of his listeners all over the country, for they felt that Pakistan for which they had been struggling was after all going to be established.

The Council of the All-India Muslim League met in New Delhi on 10 June to consider the Partition Plan. After a preliminary speech by the Quaid-i-Azam in which he explained the terms of the Plan and its pros and cons, there was a full and

5. Speeches of Quaid-i-Azam, op. cit., p. 2.
6. Ibid., p. 2.

free discussion in which a large number of members took part. Towards the end of the proceedings there was an ugly incident outside the hall where the meeting was in progress. A number of Khaksars armed with *belchas* (spades) suddenly appeared shouting anti-Muslim League slogans. They tried to force their way into the hall with the obvious intention of assaulting the members of the League Council, including the Quaid-i-Azam. The Khaksars were challenged by the Muslim League National Guards and many members of the League Council who rushed out and stopped the Khaksars from clambering up the stair-way. The police then appeared on the scene and fired a few teargas shells. The Khaksars beat a retreat and calm was restored. While this turmoil was going on many members of the League Council formed a protective ring round the Quaid-i-Azam ready to meet any eventuality. The Quaid-i-Azam set on the dais composed and unruffled, and continued to put the finishing touches on the resolution which was to be placed before the Council. His calm confidence and courage heartened the members. Ultimately the Council adopted, by an overwhelming majority, only half a dozen members dissenting, a resolution, noting with satisfaction that the Cabinet Mission Plan had been abandoned and asserting that the only course open was the partition of India as proposed in His Majesty's Government's Statement of 3 June. The Council expressed the view that, although it could not agree to the partition of the Bengel and the Punjab or give its consent to such partition, it had to consider His Majesty's Government's plan as a whole. It gave full authority to the President, Quaid-i-Azam, to accept the fundamental principles of the plan as a compromise and to take all steps and decisions in that connection.

Inspite of the fact that by virtue of his own conduct and policy he had lost the confidence of one of the major parties, Lord Mountbatten set his heart on becoming common Governor-General of India and Pakistan. It was not only his ambition, he also made it a question of prestige. He began to urge the Muslim League members of the Interim Government to make their choice known without delay and repeatedly sent Sir Eric Mieville to the leader of the Muslim League bloc, Mr. Liaquat

Ali Khan, in this connection. He even sent for the Nawab of Bhopal and asked him to persuade the Quaid-i-Azam to accept the proposal of common Governor-General. This bid too failed. The Quaid-i-Azam made it clear to the Viceroy that his decision would not be governed by personal considerations, for he said : "It is a rule of my life that I must always consider the interest of my people. At various times in my life I have had to pass over those nearest and dearest to me. But I have my duty to do".[7]

Finally, on 5 July the leader of the Muslim League group in the Interim Government, Mr. Liaquat Ali Khan, asked the Viceroy to recommend to the King the name of Quaid-i-Azam as Governor-General of Pakistan. Pakistan's individuality and vital interests were saved, but Lord Mountbatten's vanity was hurt, and Mr. Ian Stephens, former Editor of Statesman of New Delhi in his book "Horned Moon" remarks : His weak point, some said, was vanity. At his talk to journalist in July when Mr. Jinnah's decision to become Governor-General was disclosed his pride seemed hurt, though we thought needlessly, for how could anyone, however able, function effectively as Governor-General of both the new dominions".[8] If Lord Mountbatten could not realise his ambition he had only himself to thank. In the first place, the proposal of joint Governor-General was impracticable. Secondly, he had done nothing to qualify himself for the extraordinary position of common head of two Dominions. It cannot be contended that Lord Mountbatten turned against the Muslim League and Pakistan because he was not accepted as common Governor-General. On the other hand, his manifest partiality for the Congress and the Hindus and his hostility to the very idea of Pakistan weighed with the Muslim League leaders in deciding against a joint Governor-General.

The reason why the Quaid-i-Azam and other Muslim League leaders did not allow themselves to be hustled into taking a quick decision on the question of Governor-General was that they were carefully weighing the pros and cons of the matter. The Quaid-i-Azam himself was not keen to become Governor-

7. Leonard Mosley, op. cit., p. 155.
8. Ian Stephens, Horned Moon, London, 1966, pp. 112-13.

General. Neither the perquisites and emoluments nor the power and glory attaching to the office had any attraction for him. As a successful and leading lawyer he had earned enough and had always lived in comfort and affluence. The Governor-General's office would not have added to the prestige, popularity influence and power he already possessed as the acknowledged leader of the Muslim nation. If he had so desired he could have remained out of office and exercised enormous influence over the Government and made it work according to his wishes. But as an honest man he did not believe in wielding power without shouldering full responsibility. He, therefore, considered the matter in all its bearings. All his advisers, including Muslim officials, impressed upon him that the disadvantage of having Lord Mountbatten as joint Governor-General would far outweigh any advantages which were problematical, and Pakistan's only chance of survival in the unfavourable condition created by its opponents was to have the Quaid as head of State. He, therefore, accepted the advice.

Assuming that Lord Mountbatten had become joint Governor-General of India and Pakistan, how would the arrangement have worked in practice ? In view of the relations between the Congress and the Muslim League it was inevitable that he would have been confronted on almost every issue with conflicting advice by his two Cabinets, the Indian Cabinet urging him to act one way and the Pakistan Cabinet another—a most anomalous position leading to crises and deadlocks. Furthermore, Lord Mountbatten as joint Governor General would have spent less time in Karachi than in Delhi, the capital of the larger Dominion. While in Delhi he would have been near Pandit Nehru with whom he had close affinities. Pandit Nehru hated the very idea of Pakistan. It, therefore, requires no very great imagination to infer that Pakistan's interests would have been seriously jeoparised.

The nascent State of Pakistan needed the guiding hand and fostering care of the man whose courage and sagacity had brought it into being in the face of overwhelming opposition. The point is well elucidated by a British official who, according

to Mr. Ian Stephens, was then holding a post near the heart of things and writes : "I would add a point about Jinnah's decision which, I suggest, should be borne in mind. He had, after all, alone created Pakistan—or rather at that stage had forced through an acceptance by the British and the Congress of the idea of Pakistan. The odds against it, only a year or two before, had been terrific. What more natural, and perhaps more necessary, than for him to carry the thing through personally unless its success could be seen and crowned by his leadership of the State".[9]

Mr. Ian Stephens supports this view in his own picturesque style as follows : "There was, indeed, at the start (of Pakistan) little but human will for her to live on. At Delhi the new Indian regime inherited all the splendid buildings and equipment of the Imperial Secretariat; but at Karachi the Pakistan Government scarcely possessed type-writers, telephones, desks, ink or stationary; and its personnel struggled with urgent tasks of creative nation-building not in palatial rooms of carved red sandstone, but temporarily in corners of shabby tin hutments and other structures left over from the war. They focussed their glowing hopes, in this shared new venture, on their Quaid-i-Azam, their new Governor-General and fellow-Muslim, Mr. Jinnah".[10]

With a joint Governor-General like Lord Mountbatten known for his pro-Congress and pro-Hindu bias, Pakistan would have been like a still-born child. As Mr. Ian Stephens testifies : "As early as June some Leaguers had come to suspect that Lord Mountbatten in his proposed dual role would sub-consciously or otherwise load the dice against Pakistan because of the friendship he had formed with leading Hindus".[11] Thus he could not be expected to look after the interests of a country whose very creation was abhorrent to him. A Britisher as joint Governor-General would have projected the image of One India and of Pakistan as a British dependency which would have operated to its serious detriment.

9. Ian Stephens, Pakistan, p. 177.
10. Ibid., p. 191.
11. Ibid., p. 175.

The reasons which led the Quaid-i-Azam to take upon himself the onerous burden of Governor-Generalship, inspite of his indifferent health, are further explained by Prof. Rushbrook William as follows: "To those who, like myself, knew him better, it was clear that he was making a final sacrifice of all real prospect of recovering his health to the cause with which he had identified himself. He was thinking not only of the necessity of holding together a new country, full of diverse forces and conflicting interests; he was thinking also of the people of Pakistan, of the masses of unconsidered folks to whom his name had become a legend. Their need was leadership, not a constitution which might look nice on paper but which took little account of their real requirements. As long as he lived he was determined to give the people of Pakistan the guidance and control which he knew they needed and, indeed, demanded from him".[12]

The events which followed in the wake of the creation of Pakistan vindicated the choice of the Quaid-i-Azam as Governor-General. Never was a state brought into being under more unpropitious circumstances and never did a people face greater peril and adversity. They would have broken down under the well-planned blows aimed at them from across the border, but there was the Quaid-i-Azam to inspire them with his own invincible faith, courage and determination. He personally attended to all the weak spots in the country during the tragically short period of his stewardship and strengthened its structure, so that it could withstand all vicissitudes and setbacks. The Quaid-i-Azam's stirring call and heroic example rallied the people and revived their faith and confidence leading to concerted and dedicated efforts which saved Pakistan from collapse and paved the way for its consolidation.

Another Englishman, Sir George Cunningham, speaking with deep knowledge and wide experience of the sub-continent, justifies the choice of the Quaid-i-Azam as the first Governor-General of Pakistan. He says: "The criticism voiced by the Economist (British paper) among others that as an active party

12. Rushbrook-Williams: The State of Pakistan, London, 1962, pp. 29-30.

politician Jinnah should have been ruled out is blind to the fact that in August 1947 the Muslim League was not merely a political party ; it was in reality the 'successor authority' and its leader naturally took on the mantle of the Viceroy of India. I know without a doubt, having worked directly under him for nine months, thereafter, that the Quaid-i-Azam never let party spirit influence his conduct of his high office".[13]

The Partition Plan was undoubtedly a loaded dice against the Muslims. They alone were required to go through all the tests which they successfully did.

In Bengal the Legislative Assembly decided by 126 votes to 90 in favour of joining a new (i.e. Pakistan) Constituent Assembly. Members from non-Muslim majority areas, however, voted for partition of the province, the voting being 58 to 21. Members from the Muslim-majority areas, by 106 votes to 35, opposed partition of the province and decided in favour of East Bengal joining a new Constituent Assembly.

The Provincial Assembly of the Punjab decided by 91 to 77 votes to join a new Constituent Assembly. Members from non-Muslim majority areas by 52 votes to 22 decided in favour of partition of the province and joining the existing (i.e. Indian) Constituent Assembly. Members from the Muslim-Majority areas by 69 votes to 27 decided against partition of the province and in favour of joining a new Constituent Assembly.

The Provincial Assembly of Sind by 33 votes to 20 decided outright to join a new Constituent Assembly.

In Baluchistan members of the Shahi Jirga and non-official members of Quetta Municipality voted unanimously in favour of joining a new Constituent Assembly.

A referendum was held in Sylhet district to determine whether it would remain part of Assam province or join the new province of East Bengal. The Muslims were faced with a serious handicap, for though they formed 60·7% of the population they held only 54·27% votes in the total electoral roll. The Muslim electors were generally poor, whereas the Congress had the support of the moneyed classes and big businessmen. The Muslim League's systematic campaign among the masses

13. K.B. Sayeed: Pakistan the Formative Phase, Karachi 1960, p. viii.

in which Maulana Abdul Hamid Khan Bhashani and Mr. Abdul Matin Chaudhri played an important part was, however, successful. The voting was 239,619 for separation and joining East Bengal and 181,041 against separation. Thus, about 57% votes were cast in favour of amalgamation of Sylhet with East Bengal which means that the Muslim League was also successful in winning the votes of a section of non-Muslims, mainly the Namasudras (or Scheduled Castes).

So far as N.-W F. Province was concerned, the same procedure was followed as in the case of Sylhet, for the Provincial Assembly, by no means, reflected the people's feelings on the issue of partition. The Red Shirt leaders, Khan Abdul Ghaffar Khan and Dr. Khan Saheb, knew well that the people would not support them in their design to join India. They, therefore, came out with the plea that the referendum should not be confined to the question of the province joining India or Pakistan but should include the alternative of making the province an independent state of "Pathanistan". This was clearly an impracticable and unjustifiable demand and against the terms of the June 3 plan which the Congress had accepted. But the Congress leaders supported the Red Shirt leaders' demand.

It may be recalled that the Congress, especially Pandit Nehru, had, in fact, in the past vehemently opposed the idea of independence of provinces and even denied them the right of secession in the scheme of "federal" India of the Congress conception. But now the Congress leaders, merely to spite the Muslim League, lent support to the Pathanistan demand, Mr. Gandhi went to the extent of showing solicitude for the protection of "Pakhtun" language and culture, as if these could be in danger in a Muslim State but would be safe in a Hindu-dominated India. The proposal was so palpably wrong that even Mr. V. P. Menon, as he states in his book, had to point out to the Viceroy that "it was at Nehru's own request that the original proposal to allow every province the right to vote for Hindustan, Pakistan or independence had been dropped and that it was Lord Mountbatten's view that the issue of independence could not be reintroduced for only one province at this stage".[14]

14. V. P. Menon: op. cit., p. 377.

The Quaid-i-Azam posed only one question: would the Congress concede a similar right to other provinces to set themselves up as independent states? This was sufficient to silence the Congress leaders. The Red Shirt leaders' demand was turned down by the Viceroy as it was contrary to the agreed terms of the Partition Plan. Chagrined by the rejection of their demand, the Red Shirt leaders announced that they would boycott the referendum.

Special measures were taken to ensure impartial conduct of the referendum. Pandit Nehru having accused the Governor Sir Olaf Caroe of being anti-Congress, an Army General Sir Rob Lockhart was appointed in his place. British officers of the Army with experience of the Frontier were put incharge of the referendum under a Referendum Commissioner, Brigadier J. B. Booth. The Quaid-i-Azam appointed a special committee with Mr. I. I. Chundrigar as its chairman to organise the Muslim League's campaign for Pakistan. Prominent among the leaders who worked zealously to ensure the League's success were Khan Abdul Qaiyum Khan and Pir of Manki Sharif. Eventually out of the total electorate of 572,798 as many as 289,244 voted for Pakistan and only 2,874 against it, which means that 51% of the total electorate and 99% of the actual number of voters voted in favour of Pakistan. Thus, despite all the propaganda and opposition of the Congress and Red Shirt leaders, N.-W.F. Province decided to join Pakistan of which it was a natural part. This decision was also confirmed by a large number of meetings held in the Tribal Areas.

The date of transfer of power originally fixed for June 1948, as already noted, was advanced by ten and a half months, and the whole process of division of the huge Government of India and the Provincial Governments of Bengal and the Punjab was required to be completed in less than two and a half months. While the dominion of India inherited a fully established and working administration, Pakistan was confronted with the staggering task of setting up, in two and a half months, a new administrative machinery from the scratch under most unfavourable circumstances. But the hope of its opponents to cripple and thwart Pakistan at its very birth remained unfulfilled. The

creation of Pakistan was the triumph of clean and straight dealing and courageous statesmanship over devious tactics.

Lord Mountbatten's dubious conduct in regard to the announcement of the Boundary Award given by Sir Cyril Radcliffe amounted to a parting kick to the Muslim League and Pakistan. Both Campbell-Johnson and Leonard Mosley have testified that Sir Cyril Radcliffe signed the Boundary Award on August 8 and submitted it the next day to Lord Mountbatten who, however, did not announce it till after the Independence Day. It has come to light that there was a sketch map with Sir Evan Jenkins, Governor of the Punjab, which was drawn up in accordance with the information supplied to him over the secraphone by Sir George Abell, Private Secretary to the Viceroy, before Independence Day. This map showed the towns of Ferozpur and Zira on the Pakistan side of the boundary. When the Award was subsequently published on 17 August, 1947 both towns had been awarded to India. The two towns had Muslim majority and were contiguous to other Muslim majority areas. The Award in the meantime had been changed. Lord Mountbatten, it is believed, persuaded Sir Cyril Radcliffe to make alterations in keeping with Indian leaders' wishes so that not only Ferozpur and Zira but also Gurdaspur were awarded to India, thus giving her a link with Kashmir which she would not otherwise have had and without which she could hardly claim connection with the State. These charges have never been denied. They are corroborated by no less a person than Mr. Mohammad Munir, formerly Chief Justice of Pakistan, who was a member of the Punjab Boundary Commission. In the course of an article entitled "Days To Remember" he says:

"The function of the Commission was to separate the contiguous Muslim and non-Muslim majority areas and not to divide property or trade or business assets or to separate the intellectualy developed from backward areas. In fact, in the figures relied on by the non-Muslims, there lay the strongest argument for the partition of the country. Almost for a century the Muslims had been exploited by the non-Muslims. The wealth of the non-Muslims in Lahore represented the sweat and labour of the Muslims and it was with a view to doing away

with this inequitable position that the Musalman had demanded a State where undominated by the Hindu he could improve his lot and enjoy a position of economic independence. . . . .

"After discussing some Tehsils of Amritsar, Jullundur, Hoshiarpur, Ludhiana and Ambala Districts, I was about to place the case of Ferozepur and Zira and portions of the Fazilka and Mukhtesar Tehsils of the Ferozepur District when I received a pleasant surprise. Here at least Sir Cyril was agreeing with me. He distinctly told me that these areas, which included the Ferozepur Headworks, would go to Pakistan, and that I need not say anything more about them. As if I did not know this, he gave me a full description of these areas, mentioning the "cliffs" on one side of the low-lying land and the canals that take off from the Ferozepur Headworks. On this part of the case, at least, I thought, we had succeeded and communicated my impression to Mamdot, who owned a vast estate in this tract. The Muslim League had claimed the District of Amritsar and in my report I had supported that claim. In the course of my interview with the Chairman, however, I had mooted, with the Muslim League's consent, the proposal of making the city of Amritsar, the Mecca of the Sikhs, a Sikh enclave by connecting it with some trans-Beas areas. Here Mr. Beaumont wanted to rebut the suggestion by asserting that there was no bridge on the river to connect the enclave and the areas beyond the river. On this I lost my temper, told Beaumont not to interfere and informed the Chairman that a metalled road with a bridge on the river, though passing through Kapurthala State, connected the two. But I was seized with a disturbing thought—if Beaumont could misrepresent in my presence, could he not do so when there was no own with Sir Cyril ? . . . .

"The Award was announced over the radio on August 17. With the exception of a part of Shakargarh Tehsil, the whole of the Gurdaspur District went to India. So did the whole of the Amritsar District and all the trans-Beas and trans-Sutlej Muslim majority areas, including Ferozepur, Zira, Mukhtesar and Fazilka Tehsils. The Canal Colonies remained with us and Lahore was saved. . . . .

"When I read the text of the Award I was stunned. A two-page document and a line on a map drawn as the fancy of the drawer dictated had divided the fourth largest country in the world. No reasons, except one to which I shall presently refer, were given and no reference was made to the arguments and contentions raised. Here was an instance of a British lawyer trained in traditions of British justice, the very principle of which is that a party should know why a matter has been

decided against him! If the Award was judicial, it lacked every attribute of a judicial decision. And if it was political, why lay claims to justice, fairness and impartiality? Why not say that India belonged to the British and their Viceroy gave it to whomsoever he liked? . . . . . .

"There is conclusive evidence that the Punjab Award had been finalised on the 8th of August. . . . . It is, however, agreed that that very evening the contents of the Punjab Award, in so far as they were necessary for Sir Evan Jenkins' information, were communicated to him over the telephone and that the information so supplied was reduced to writing.

"According to that information, the Tehsil of Ferozepur and Zira had come to Pakistan. And this is precisely what Sir Cyril mentioned to me when I interviewed him. How is it then that these Tehsils went to India in the Award announced on the 17th of August? The only explanation possible is that Sir Cyril altered the Award some time between the 8th and 17th of August, when he was in New Delhi. It is also clear that he of his own accord would not make the alteration as he must have known that the original Award had been communicated to Sir Evan Jenkins and no fresh arguments had been addressed to him after the 8th to persuade him to alter his decision. The irresistible inference, therefore, is that he must have been prevailed upon by Lord Mountbatten to make the desired alteration.

"Further there is intrinsic evidence to show that this part of the Award was not the result of an honest endeavour to arrive at a just decision. . . . . .

"Did he not play politics when he stated in this part of the Award that "it would be in the interest of neither State to extend the territories of the West Punjab to a strip on the far side of the Sutlej", when these strips were described by him in the same paragraph of the Award as the areas in which "not inconsiderable" Muslim majorities are found? And had he not been told earlier that the joint control of canals which he advocated in this paragraph was out of the question and not a matter within his scope? And lastly, could not a joint control be suggested for the other two canals that take off from the Ferozepur Headworks by giving at the same time effect to the contiguous majority principle in favour of the Muslims?

"Take now the Gurdaspur District. Was it not a Muslim majority area? True, the majority of the Muslims here was nominal but could not this majority have automatically risen appreciably if Pathankot Tehsil had been separated

and joined to India? And then what were the compelling factors to partition Shakargarh, a Muslim majority Tehsil? Further, if Shakargarh had to be partitioned why not adopt as basis the major physical feature, the Ravi, but choose as the boundary line neither the river nor its main tributary (Ujh river) but the western branch of this stream where it "enters the Punjab Province from the State of Kashmir"? Was Gurdaspur intended to be sacrificed suitably to a desire to connect India with Kashmir?"[15]

Another example of Radcliffe's partiality for Hindu India is furnished by his ruling on the different interpretations put on the Commission's terms of reference in regard to Sylhet, namely, "In the event of the referendum in the district of Sylhet resulting in favour of amalgamation with Eastern Bengal the Boundary Commission will also demarcate the Muslim majority areas of Sylhet district and contiguous Muslim majority areas of adjoining districts of Assam".[16] The Muslim members of the Commission asserted that the Commission had been given authority to detatch from Assam and to attach to Eastern Bengal any Muslim majority areas of any part of Assam that could be described as contiguous to East Bengal, since they construed the words "the adjoining districts of Assam" as meaning any districts of Assam that adjoined East Bengal. The Hindu members held that the Commission's power of detaching areas from Assam and transferring them to East Bengal was limited to the district of Sylhet and contiguous Muslim majority areas, if any, of other districts of Assam that adjoined Sylhet. Radcliffe upheld the Hindu members' view which severely restricted the scope of reference to the Commission resulting in loss to East Bengal of the contiguous areas of Muslim majority in Assam.

The Award was so perverse thet even its author seems to be conscious of the wrong he was doing. This is evident from the following passage in Radcliffe's report: "I am conscious that there are legitimate criticisms to be made of it (Boundary Line) as

15. Mr. Mohammed Munir; *Days to Remember*, *Pakistan Times*, datep 22-24 June, 1964.

16. Quoted in *M. A. H. Ispahani's Quaid-i-Azam Jinnah as I knew him*, Karachi, 1967, p. 255.

of any other line that might be chosen. I have hesitated long over those not inconsiderable areas east of the Sutlej river and in the angle of the Bias and Sutlej rivers in which Muslim majorities are found. But, on the whole, I have come to the conclusion that it would be in the true interests of neither State to extend the territories of the West Punjab to a strip on the far side of the Sutlej and that there are factors such as the disruption of railway communication and water systems that ought, in this instance, to displace the primary claims of contiguous majorities."[17]

Lord Mountbatten's action in withholding the announcement of the Boundary Award till two days after the Independence Day led to disastrous consequences. This is admitted even by this admirer, Leonard Mosley, who remarkes: "In the light of subsequent events he was obviously wrong to suppress the report for so many days, and he was obviously even more wrong in failing to take the Indian and Pakistani leaders into confidence. A prior report would have given millions of Hindus, Sikhs and Muslims a chance to pack their bags and leave; a confidential report to Nehru, Jinnah, and to the Punjab Boundary Force Commander, General Rees, would have made possible for dispositions and arrangements to be made to allow them to leave in some semblance of order. But Mountbatten took no one into his confidence. He hugged the Award to himself and suppressed them till Independence Day. Independence Day was happy. But millions of people died or lost everything as a result".[18]

There can be no doubt that the only man who emerged with clean hands out of the inter-play of forces during the final phase of the transfer of power was the Quaid-i-Azam. He remained above all shady dealing and devious conduct. The tribute paid to him by Lord Pethick-Lawrence is pertinent in this connection. The Lord was Secretary of State for India and as such shared responsibility for his Government's iniquitous policies towards the Muslim League and Pakistan during the final phase of transfer of power and initial stage of Pakistan's existence. But a decade later even he felt impelled to pay a warm tribute to the Quaid-i-Azam in the course of a speech at London in January 1959 in the

17. *M.A.H. Ispahani*, op. cit., p. 255.
18. *Leonard Mosley*, op. cit., p. 229.

following words: "It was one of the first great achievements of the Quaid-i-Azam that he created the conception of Pakistan, and having created the conception, he worked passionately and determinedly until he carried it to a successful result. Now he had, of course, immense powers of intellect and also of persuasive eloquence which he used with such effect that the idea which was at first an ideal only, became in the end a reality. Not only he had those gifts but I realised in him a man of very firm resolution, a man who when he made a promise always kept it, and if he felt anybody else with whom he was negotiating failed to keep their promise he reacted strongly. (Perhaps the noble Lord remembered the breach of pledges made by his Government). Of course, he had a very rugged personality, all men who have had to achieve, contrary to the views of the many of those people with whom they came into contact, a tremendous change, constitutional change of a sort, have been men of that character. In our country here in Britain we had our Oliver Cromwell, we had our Winston Churchill, in the United States they had their George Washington and in other parts of the world, in Europe, Asia and Africa, we have had men of rugged determination who carried out their will. But, provided that a man has his integrity of purpose and integrity of words, that ruggedness is not a hinderance but an essential ingredient of success".[19]

Mr. Ian Stephens goes further and refers to the Quaid-i-Azam as a "nation builder" whom "future historians may have to reckon the Asian counterpart of Bismarck or Cavour".[20] He says further: "What concerned him—utterly absorbed him in his latter years, calling forth all the strength of an extraordinary will—so to preserve the character of the sub-continent's Muslim community against (as he saw it) the rising threat of suffocation by militant, revivalist Hinduism, a culture and a religion combined, wholly inimical to everything Muslim, which was using the ballot box as its instrument and hypocritically concealing itself behind the Congress Party's secular cloak".[21]

19. *Quaid-i-Azam as seen by his contemporaries*, Publishers United, Lahore, p. 227.

20. Ian Stephons, *Pakistan*, p. 27.

21. Ibid., p. 27.

The immensity of the Quaid-i-Azam's achievement has elicited admiration even from some well-known Indian commentators. Mr. Frank Moraes, former editor of Times of India, says: "The Quaid-i-Azam is assured of a place among the Great Muslims of our time. Kamal Ataturk revived the ramshackle State which was Turkey. But Jinnah's achievement was in a sense more considerable. Out of next to nothing he willed a state into being. The ifs of history are fascinating, and if Mohammad Ali Jinnah had not taken upon himself to lead a crusade for an Islamic Land of the Pure, it is problematical whether Pakistan would ever have been established".[22]

Mr. D. F. Karaka, editor of "Current" weekly, observes: "Pakistan is a triumph which the Quaid-i-Azam achieved single-handed. One had to concede him his achievement, however much one differed from his politics and his ideology. It is not a small thing that he combined in himself all the responsibilities which his rival party, the Congress, distributed and decentralised to the galaxy of talents which was at their disposal. When the British made any proposal the Congress had a wealth of talent at their beck and call which gave whatever expert opinion it needed on every conceivable subject. But Jinnah was his own economist, his own political genius, his own expert on politics, on partition issues, on economics, on industry and on the manifold problems of state. He was Pakistan himself. He was its life-blood. He was its heart and brain."[23]

As he left India on 7 August the Quaid-i-Azam made a characteristically magnanimous gesture. He delivered a conciliatory farewell message in which he said: "I bid farewell to the citizens of Delhi, amongst whom I have many friends of all communities and I earnesty appeal to everyone to live in this great historic city with peace. The past must be buried and let us start afresh as two independent sovereign States of Hindustan and Pakistan. I wish Hindustan peace and prosperity.".[24] But the

22. Syed Sharifuddin Pirzada, *Evolution of Pakistan*, Lahore, 1963, p. 260.

23. Ibid., p. 259.

24. *Speeches and Statements of Quaid-i-Azam*, published by the Research Society of Pakistan, Lahore, 1966, p. 428.

Congress leaders, as before, showed incapacity to reciprocate the gesture. Sardar Patel made the following statement: "The poison has been removed from the body of India. We are now one and indivisible. You cannot divide the sea or the waters of the river."[25]

The Indian Independence Act passed by the British Parliament in July 1947, resulted in the supersession of the British Government by the Muslim League and the Congress as successor authorities in Pakistan and India. On the recommendation of these bodies respectively, the Quaid-i-Azam became Governor-General of Pakistan and Lord Mountbatten of India. On 14 August Lord Mountbatten formally transferred sovereign powers to the Constituent Assembly of Pakistan.

In the course of his speech in the Constituent Assembly of Pakistan at Karachi on 14 August, Lord Mountbatten thought fit to advise Pakistan to follow the example of Emperor Akbar in showing tolerance and goodwill to non-Muslims. He did not give similar advice to the Indian leaders regarding the Muslim minority. He got an appropriate answer from the Quaid-i-Azam, who boldly declared: "The tolerance and goodwill that the great Emperor Akbar showed to all non-Muslims is not of recent origin. It dates back thirteen centuries ago when our Prophet not only by words but by deeds treated the Jews and Christians, after he had conquered them, with the utmost tolerance and regard and respect for their faith and beliefs. The whole history of Muslims is replete with those humane and great principles which should be followed and practised".[26]

What Mr. Gandhi in pious horror had branded as an "untruth" what Mr. Nehru had ridiculed as "mockery", what Moulvi Azad had denounced as a "fraud" became a living reality in a matter of less than eight years of the resolve made by the Muslims to achieve independent nationhood. As Penderel Moon acknowledges: "To have transformed in little more than seven years the chimerical idea of Pakistan into a living political reality was an astonishing achievement. Alike in his tenacity of purpose and in his calm,

25. Leonard Mosley, op. cit., p. 217.
26. Speeches by Quaid-i-Azam, Governor-General, Karachi, 1949, p. 9.

cold acceptance of consequences which would have deeply troubled the conscience of an ordinary man he showed qualities of greatness".[27] Not all the machinations and manoeuvres which "malice could invent or ill-will devise" could prevent the birth of Pakistan as a State based on ideological foundations. This is an achievement which will ever redound to the glory of the All-India Muslim League and its peerless leader, Quaid-i-Azam Mohammad Ali Jinnah, and the millions of his faithful followers who gave him unflinching support and made untold sacrifices. It also brings to the people both the opportunity and responsibility to build Pakistan into a state where, in the words of the Quaid-i-Azam, "principles of Islamic social justice could find free play".

27. Penderel Moon : *Divide and Quit.*

APPENDIX

PAKISTAN, A HISTORICAL PERSPECTIVE

Pakistan emerged as a separate, sovereign state in a dramatic manner contrary to the prevailing notions of territorial nationalism. Superficial observers are misled into thinking that it was the outcome of emotional effervescence and lacks the rationale of historical process. Such an erroneous view can only be due to want of knowledge of the play of the socio-political factors and forces which culminated in the disappearance of an illusory unity and the emergence of separate, independent states in the sub-continent.

Even a cursory glance at the history of the Pak-Bharat sub-continent would show that it had never known a central national government for the simple reason that there never had been a single nation. No doubt, there were at different times central governments under autocratic monarchs, holding sway over large portions of the sub-continent, but whenever their hold slackened there sprang up independent states in the various regions of the sub-continent. The impression of unity which the British Imperial Government with its provincial branches conveyed was false and misleading, for it was a foreign government whose foundation, structure and working did not carry with it the willing assent of the peoples of the sub-continent. No less a person than the late Mr. Winston Churchill decried the notion of India's unity in the following words: "India is a continent as large and more populous than Europe and not less deeply divided by racial and religious differences than Europe. India has no more unity than Europe except that superficial unity which has been created by our rule and guidance in the last 150 years".

In the whole history of Hindu-Muslim relationship one fact

stands out prominently—there never was a merger of Hindu and Muslim cultures and societies. While there could be no fusion there could have been a workable partnership between the two peoples, but this was rendered impossible by certain features and tendencies inherent in the Hindu social system and Hindu nationalism. As early as 1001 A. C. the world renowned savant, Al-Beiruni, who accompanied Sultan Mahmud Ghaznavi to the sub-continent, made the following observation on the Hindu attitude towards others in his book 'Kitab-ul-Hind': "All their fanaticism is directed against all foreigners. They call them Malechha, i.e. impure, and forbid having connection with them, be it by inter-marriage or by any other kind of relationship, or by sitting, eating or drinking with them, because thereby think they would be polluted . . . . This renders any connection with them quite impossible and constitutes the widest gulf between them and us". This attitude of the Hindu society towards the Muslims has existed ever since the Muslims first set foot on the soil of the sub-continent. The two societies—Hindu and Muslim—like two streams have sometimes touched but never merged, each following its separate course. Even a well-known Hindu historian, K. M. Panikkar, supports the view that, ever since the advent of Islam, Hindus and Muslims, have existed as two different nations. He says: "The main social result of the introduction of Islam as a religion in India was the division of society on a vertical basis . . . what has now come to be known in the phraseology of today as two separate nations came into being from the beginning".[1]

An abortive attempt to bring about a fusion of the Hindu and Muslim faiths and societies was made in the time of Emperor Akbar but failed for obvious reasons. His indifferentism in matters of faith encouraged some heterodox elements to undermine the fundamentals of Islam and the integrity of the Muslim society under cover of a cult of 'monism' calculated to obliterate all distinction between belief and unbelief. This dangerous trend was, after Akbar's reign, countered by the great Mujaddid-i-Alaf-i-Sani, Sheikh Ahmad Sarhindi. He exposed the fallacy of the creed of 'monism' and its harmful implications for the solidarity

1. K. M. Panikkar, A. Survey of Indian History.

of the Muslim society and rallied the Muslim community on the pure doctrine of "Tauhid" so as to preserve the founts of its spiritual life and its identity and social structure intact.

Aurangzeb with his intellectual probity and moral fervour waged a valiant and relentless struggle against stupendous odds to strengthen the structure of the Muslim State and society by arresting the process of moral decay and purging Islam in India of un-Islamic accretions without doing any injustice to the non-Muslims in the administration of the affairs of the state. But unfortunately none of his successors was capable of carrying on his great work.

After Aurangzeb's demise in 1707 the Empire fell into disarray due to internecine quarrels, the rise of militant Hindu forces and the machinations of a foreign power. In this gloomy atmosphere there arose another great scholar-saint, Shah Waliullah of Delhi, who showed a keen awareness not only of the ills from which the Muslim society suffered but also the forces which threatened its very existence. He aimed at saving the Muslim political power from destruction and restoring peaceful conditions under which his programme of religious, social and cultural reforms could be launched. For this purpose he impressed on the Muslim nobles of Delhi and adjacent principalities to pool their resources and appealed to the Afghan King, Ahmed Shah Abdali, to come to the rescue of the Muslims of India who were engaged in their life-and-death struggle against the depredations of the Marathas. The Afghan King, with the assistance of Nawab Najib-ud-Daula and other nobles, inflicted a crushing defeat on the numerically larger forces of the Marathas in the third Battle of Panipat in 1761 which finally broke up the Maratha power.

Unfortunately the Mughal Rulers, due to their lethargy and short-sightedness, did not take full advantage of the conditions created by the great savant, Shah Waliullah, and the fruits of the victory of Panipat were squandered away. However, the consciousness he had aroused continued to inspire reformers and freedom-fighters like Shah Abdul Aziz, Syed Ahmed Shahid, and Shah Ismail Shahid and the leaders of the Faraizi Movement in Bengal, Haji Shariatullah and Dudu Mian. The great struggle against alien forces in 1857 too was largely the outcome of the

religious and political movement which Shah Waliullah had initiated a century earlier. The tide of decline and downfall could not be stemmed because of the advanced stage of moral decay of the Muslim upper classes. Into the chaotic situation of the sub-continent a new element was introduced by the appearance on the scene of the British who came originally as a trading company. By well-planned moves they succeeded, partly by their own adroit manoeuvring but largely through the perfidy of some local elements, in establishing themselves as a political power. This was signalised by the British victory over Nawab Sirajud Daula in the Battle of Plassey (1757) and that gallant Mujahid, Sultan Tipu of Mysore (1799), the victories being the result of the treachery of their respective Ministers, Mir Jafar and Mir Sadiq, and not any martial superiority of the British.

The unsuccessful war of independence of 1857 saw the final break-up of the fabric of Muslim authority. The Muslims found themselves in the throes of a great catastrophe. They had to contend with two inimical forces—the new conquering British power which looked upon them with suspicion and hostility and the Hindu majority community which had made common cause with the British to reduce the Muslims to the position of a helpless, subjugated minority or a vassal race, as is instanced by Lord Robert Clive's secret deals with Hindu seths like Rai Durlabh and Jagat Seth and the subsequent policy of the East India Company. This is corroborated by K. M. Panikkar as follows: "An alliance was struck between the head of European 'baniadom, the English Company and the Marwari merchants who commanded the wealth of Bengal".[2]

Elated by the patronage and impetus offered by the British rulers, the Hindus began to build up their nationalism on their own lines in which obviously the Muslims had no place. This is well illustrated by the writings of the famous Bengali novelist, Bankim Chandra Chatterji. In the final chapter of his novel Anandamath (Abbey of Bliss) a supernatural figure explains to the leader of the Sanyasi marauders that the British had been forced to rule over India in order that Hinduism might regain its

2. K. M. Panikkar op. cit., pp. 244-45.

power. He goes on to say :

"Your task is accomplished. The Muslim power is destroyed. There is nothing else for you to do . . . . We must make the English rule . . . . Under the English our people will be happy . . . . At the present moment the English are traders. Their minds are set on amassing wealth. They have no desire to take up the responsibilities of Government, but as a result of the rebellion of the children they will have to, because they will get no money if they do not. The rebellion took place to make the English ascend the throne . . . . There are no foes now. The English are friends as well as rulers".[3]

The first glimmerings of Hindu nationalism became visible in Bengal. It began to grow in alliance with the new British power, which, having obtained a foothold in Bengal, tried to spread its tentacles over North India. A Hindu leader of Bengal, Naba Gopal Mitra, started an annual gathering known as Hindu *meta* in 1867 in order "to provide the national feeling, sense of patriotism and a spirit of self-help among the Hindus".[4] Naba Gopal said : "Hindu nationality is not confined to Bengal. It embraces all of Hindu name and Hindu faith throughout the length and breadth of Hindustan ; neither geographical position nor the language is counted a disability. The Hindus are destined to be a religious nation".[5] Another Hindu leader, Raj Narain Bose, said : "I see in my mind the noble and puissant nation rousing herself after sleep and rushing headlong towards progress with divine prowess. I see this rejuvented nation again illumining the world by her knowledge, spirituality and culture and the glory of the Hindu nation again spreading over the whole world".[6]

The rise of Arya Samaj—a militant Hindu sect—in the Punjab represented another facet of Hindu nationalism. The eminent Hindu historian, R.C. Majumdar says, "Hindu nationalism also got great impetus from the Arya Samaj . . . . The young Arya Samajists openly declared that they were waiting for the day when

3. *Sources of Indian Tradition*, published by Columbia University Press.

4. R.C. Majumdar, *History of the Freedom Movement*, vol. I.

5. Ibid.

6. Ibid.

they would settle account with the Moslems and the British".[7] Majumdar further admits that "the Western type of nationalism gradually partook of a Hindu character. This process was hastened by the fact that the past glory and greatness of the Hindus came to form the solid basis of this nationalism".[8]

The marked divergence between the Hindu and Muslim faiths did not escape the notice of British observers. E. W. R. Lumby in his book 'The Transfer of Power in India' remarks: "The Hindu and Moslem faiths stand in sharp contrast, not merely in doctrine and in worship but in the elaborate systems of which each is the centre and which govern daily life in so many things from food and dress to marriage and inheritance, and all this has created a perennial cleavage in Indian society".[9] The Joint Parliamentary Committee on Indian Constitutional Reform observed: "India is inhabited by many races often as distinct from one another in origin, tradition and manner of life as are nations of Europe. . . . The difference between the two (i.e. Hindus and Muslims) is not only of religion in the stricter sense but also of law and culture. They may be said, indeed, to represent two distinct and separate civilizations".[10]

Nationalism is really a subjective phenomenon; it is very difficult to define it in concrete terms. Renan, the renowned French philosopher, defines a nation thus: "A nation is a soul, a spiritual principle. Two things which are really one constitute this soul, this spiritual principle. One is the past, the other is the present. One is the possession in common of a rich heritage of memories; the other is the present consent, the desire to live together, the will to realise the unimpaired heritage". The Muslims of the sub-continent completely conformed to this definition of a nation. The man who first spoke of the Muslims as a nation in modern terms was none other than Syed Ahmed Khan, the pioneer of Muslim renaissance in the sub-continent. As early as 1867 when the Hindu leaders of Benares agitated for the

7. R. C. Majumdar, op. cit.

8. Ibid.

9. E. W. R. Lumby, *The Transfer of Power in India*, p. 13.

10. *Report of Joint Parliamentary Committee on Indian Constitutional Reforms*, vol. I, para 1.

supersession of Urdu by Hindi in Government offices and law courts he felt convinced that it was now impossible for the Hindus and Muslims to progress as a single nation and he frankly told a senior British Officer, Mr. Shakespeare : "I am convinced that both these nations will not join whole-heartedly in anything. At present there is no open hostility between the two nations but on account of the so-called educated people it will increase immensely in future. He who lives will see".[11] Subsequent events proved his prophecy to be literally true.

On another occasion in 1893 Syed Ahmad Khan gave a very intelligent appreciation of the socio-political problems of the sub-continent. He observed : "The first requisite of a representative government is that the voters should possess the highest degree of homogenety. In a form of government which depends for its functioning upon majorities it is necessary that the people should have no differences in the matter of nationality, religion, ways of living, customs, morals, culture and historical traditions. India is inhabited by different peoples each one of whom is numerically large and different from the other in culture, in moral code, in social organization, in political outlook, in religion, in physique and in historical associations".[12] Analysing the implications of the demand of the Indian National Congress for introduction of unqualified parliamentary elections and representative government in India taken as a single unit, Syed Ahmad Khan was even more emphatic in expressing his viewpoint : "The proposals of the Congress are exceedingly inexpedient for a country which is inhabited by two different nations. Now suppose that all the English were to leave India . . . . then who would be the rulers of India ? Is it possible that under these circumstances two nations—the Muslim and the Hindu—could sit on the same throne and remain equal in power. Most certainly not. It is necessary that one of them should conquer the other and thrust it down. To hope that both could remain equal is to desire the impossible and the inconceivable".[13]

11. Maulana Altaf Husain Hali, *Hayat-i-Javed*, Lahore, 1957, p. 194.

12. *Akhri Mazamin* published by Imamuddin Gujrati, pp. 46-49.

13. *Majmooa-i-Lectures-o-Speeches Sir Syed*, published by Imamuddin Gujrati.

Syed Ahmad Khan strongly advised the Muslims to keep aloof from the Congress agitation and his lead was accepted by them. He formed the Mohammedan Defence Association whose prominent members were his son Syed Mahmud, Mohsinul Mulk, Mian Shah Din and Mian Mohammed Shafi. The Association in a memorandum suggested that Hindu and Muslim members of the Councils should be elected separately by Hindu and Muslim voters. Syed Ahmad Khan's speeches and writings demonstrate that he guided Muslim political thought into a channel which led inevitably to the demand for a separate homeland and state for the Muslims of the sub-continent. As the British historian, Percival Spear, in his book 'India, Pakistan and the West' remarks: "In his whole attitude is implicit the concept of Pakistan. It only needed the prospect of British withdrawal, something which in his days still seemed remote, to bring it to surface."[14]

As time passed the concept of independent destiny and separate political course which Syed Ahmad Khan had envisaged for the Muslims found pronounced expression in the demand for separate electorate voiced by the Muslim leaders' deputation to the Viceroy, Lord Minto, in October 1906 when expansion of elected element in the legislative councils was being contemplated. The demand was conceded in the Morley-Minto reforms. This was followed immediately by the foundation at Dacca of their political organization, the All-India Muslim League, which, inspite of vicissitudes, was to lead them to the final realization of their aspirations as a nation. At this stage the Muslims, while anxious to maintain their identity and secure their rights and interests, were ready and willing to reach an honourable understanding and cooperate with other elements in the body-politic of the sub-continent with a view to achieving emancipation from foreign rule and ensuring harmonious progress.

These ideas were lucidly expressed by Mr. (later Maulana) Mohammad Ali in his fomous journal, The Comrade, dated 10th January 1911, as follows:

14. Percival Spear, India, Pakistan and the West, pp. 190-91.

"We have no faith in the cry that India is united. The problems of India are almost international. We may not create today the patriotic fervour and the fine national frenzy of Japan with its 40 millions of homogeneous people. But a concordat like that of Canada is not beyond the bounds of practicability. It may not be a love-marriage born of romance and poetry. But a marriage de convenance, honourably contracted and honourably maintained, is not to be despised."

A reference may also be made to the views of the man who was mainly responsible for bringing about an agreement known as the Lucknow Pact between the Congress and the Muslim League and was destined to be the saviour of Muslim India. Presiding at the historic Lucknow session of the All-India Muslim League in 1916 Mr. Muhammad Ali Jinnah, then hailed as Ambassador of Hindu-Muslim unity defended the separate political organization of the Muslims as follows :

"It appears to me that the reproach of 'separatism' sometimes levelled at Mussalmans is singularly inapt and wide off the mark, when I see this great communal organization rapidly growing into a powerful factor for the birth of united India. A minority must, above everything else, have a complete sense of security before its broader political sense can be evoked for cooperation and endeavour in the united national tasks. To the Mussalmans of India that security can come through adequate safeguards as regards their political existence as a community".[15]

It is clear that even when he was associated with the Congress Mr. Jinnah stood for the preservation of the separate political entity of the Muslims.

The experience of the working of elected legislatures and a limited measure of responsible government in the provinces was leading Muslim leaders and thinkers to realise more clearly that the democratic parliamentary system of government of the British variety, unalloyed and unqualified, would spell their doom. They began to think of devices which would at least enable them to consolidate their position in parts of the country where they were in majority and secure safeguards to maintain their indentity. It was always the Muslim leaders who took the

15. Selected Speeches and Statements of Quaid-i-Azam, Lahore, 1966 p. 56.

initiative in making proposals for a Hindu-Muslim settlement and accord regarding the future constitution which was the *sine qua non* for the attainment of real freedom for all the elements composing the Indian population. Between 1927 and 1931 four attempts were made by the Muslim leaders under Mr. Jinnah's guidance to reach a settlement with the Hindus on the basis of such moderate and fair proposals as separation of Sind from Bombay, introduction of reforms in N.-W.F.P. and Baluchistan, reservation of seats for the Muslims on population basis in the Punjab and Bengal, and reservation of one-third seats for Muslims in the Central legislature. Upon acceptance of these proposals the Muslim leaders were even prepared to agree to joint electorate. At the Round Table Conference in London the negotiations broke down on the question of just one more seat for the Muslims in the Punjab. Mr. Gandhi in the generosity of his heart offered the Muslims a 'blank cheque' but attached to it the condition that the Muslims must put forward their demands unanimously, and he took care to see to it that the handful of Nationalist Muslims who were in his pocket would not sepport these demands.

The central idea of all the proposals made by the Muslim leadrs and of Mr. Jinnah's 'Fourteen Points' was to ensure a fair distribution of powers and opportunity between Hindus and Muslims and to make it possible for the latter as the numerically and economically weaker community to develop their life according to their genius and traditions in the Muslim-majority provinces. But all these propsals were turned down. At the All-Parties Convention at Calcutta in December 1928 the impassioned pleas of Mr. Jinnah and Maulana Muhammad Ali for acceptance of the modest Muslim demands were decried and unceremoniously rejected and scant respect was shown to the two revered Muslim leaders who had given of their best to build up the Congress organization. They returned from the Calcutta Convention sad and disillusioned and called it the 'parting of ways''.

After the introduction of the Government of India Act of 1935 Mr. Jinnah twice offered to form League-Congress Coalition Ministries in 1937 and 1939 but the offer was contemptuously

spurned. The Congress was bent upon imposing totalitarian Hindu rule, as is evident from Pandit Jawaharlal Nehru's arrogant remark,"There are only two parties in the country—the Congress and the British Government; others must line up." Pandit Nehru's arrogance and impetuosity was going to cost the Congress very dearly, as the well-known Hindu leader of Bombay, Kanji Dwarkadas, in his book 'India's Fight for Freedom' remarks, "This arrogance and lack of political foresight in July 1937 was repeated time and again during the next ten years, culminating at last in the division of the country into India and Pakistan".[16]

In the meantime Muslim political thinking was moving forward in the direction of laying emphasis on the consolidation of Muslim position in the areas of Muslim majority. In his famous address at the Allahabad session of the All-India Muslim League in 1930, Allama Iqbal got to the root of the matter by observing: "The units of Indian society are not territorial as in European countries. India is a continent of human groups belonging to different religions...... The principle of European democracy cannot be applied to India without recognising the fact of communal groups. The Muslim demand for the creation of Muslim India is, therefore, perfectly justified."[17] He suggested the creation of a Muslim State as follows: "I would like to see the Punjab, North-West Frontier Province, Sind and Baluchistan amalgamated into a single state. Self-Government within the British Empire, or without the British Empire, the formation of a consolidated North-West Indian Muslim State appears to me to be the final destiny of the Muslims at least of North-West India".[18]

A group of young Muslims in England led by the late Chaudhri Rahmat Ali advocated partition of India at the time of the Round Table Conference. They demanded that the Punjab, N.-W.F.P., Kashmir, Sind and Baluchistan should befe derated into a separate sovereign state which should be linked in a triple

16. Kanji Dwarkadas, India's Fight for Freedom, Bombay, 1966, p. 447.

17. Speeches and Statements of Iqbal compiled by Shamloo, Lahore, 1948, p. 12.

18. Ibid., p. 12.

alliance with Bengal, Assam and Hyderabad. Mr. Rahmat Ali and his friends did useful spade-work by publishing and widely circulating literature to expound and popularise the idea of Pakistan.

The concept of a separate Muslim State was not entirely new. Some Muslims had earlier hinted at it. Syed Jamaluddin Afghani is reported to have visualised a Muslim republic embracing the present Central Asia Socialist republics, Afghanistan and other Muslim majority areas in the north-west of the sub-continent. In 1917 at the Conference of Socialist International at Stockholm two brothers, Dr. Abdul Jabbar Khairi and Mr. Abdus Sattar Khairi, prominent Aligarh Old Boys, submitted a proposal for partition of India into a Muslim India and a Hindu India which is confirmed by M. Camille Huysmans of Belgium, the then General Secretary of the Socialist International Conference. In March 1920 one Muhammad Abdul Qadir Bilgrami wrote an open letter to Mr. Gandhi, suggesting division of the sub-continent between the Hindus and the Muslims, giving a list of the districts not very different from the present boundaries of East and West Pakistan. Another scheme was suggested by Sardar Gul Khan of Dera Ismail Khan. He Advocated before the Frontier Inquiry Committee in 1923 the division of India between Hindus and Muslims, the latter getting the area from Peshawar to Agra.

The coming into power of Congress Ministries signalised an alarming increase in the number of Hindu-Muslim riots. It was the oppressive and discriminating policy of the Congress Governments that led to frequent riots. In certain parts of the country unspeakable atrocities were perpetrated on the Muslims but the Congress Governments took no steps to bring the offenders to book. The Muslims resented injustice and discriminatory treatment in the matter of civil liberties, economic measures and employment and educational opportunities. Above all, it was the behaviour of the Congressmen which alarmed the Muslims, as the British historian, Sir Reginald Coupland, remarks: "It was not only the Working Committee's control of the Congress Ministries that showed that a 'Congress Raj' had been established in their provinces. It was betrayed by the conduct and bearing of

Congressmen, both in the performance of public duties and as individuals at the outset of the regime ...... Many of them behaved as if they were a ruling caste, as if they owned the country."[19] A distinguished Hindu leader, Sir Chimanlal Setalvad, is even more critical of the attitude of the Congress. He says: "The real parentage of the Pakistan movement can be traced to the Congress who, by the wrong way in which they handled the communal question and by their behaviour when they were in power, created the great distrust in the minds of the Muslim community which has driven them to advocate Pakistan".[20]

In January 1940 Mr. Jinnah whom the Muslims hailed as their Quaid-i-Azam contributed an article to a British paper 'Time and Tide' in which after exposing the failure of the provincial part of the Government of India Act of 1935 he laid down two propositions: "(1) the British people must realise that unqualified Western democracy was totally unsuited for India and attempts to impose it must cease; (2) in India it must be accepted that 'party' government was not suitable and all governments, central or provincial, must be governments that represent all sections of the people."[21]

In conclusion, he demanded that a constitution must be envolved that recognised that there were in India two nations who both must share in its governance.

All overtures made by Muslim thinkers and leaders for an understanding and compromise having failed. Muslim feeling crossed the rubicon. In March 1940 the Quaid-i-Azam, presiding over the Lahore session of the All-India Muslim League, gave a lucid exposition of the real problem of the sub-continent and then stated his solution of the problem. He observed:

"It is extremely difficult to appreciate why our Hindu friends fail to understand the real nature of Islam and Hinduism. They are not religions in the strict sense of the word but are, in

19. R. Coupland, India a Restatement.

20. Sir Chimanlal Setalvad, Reflections and Recollections.

21. Jamil-ud-Din Ahmad, *Speeches and Statements of Quaid-i-Azam*, Vol. I, p. 118.

fact, different and distinct social orders and it is a dream that the Hindus and Muslims can ever evolve a common nationality... to yoke together two such nations under a single state, one as a numerical minority and the other as a majority, must lead to growing discontent and final destruction of any fabric that may be built up for the government of such a state.........the only course open to us all is to allow the major nations separate homelands by dividing India into 'autonomous national states' ......Mussalmans are a nation according to any definition of a nation and they must have their homelands, their territory and their state......We must be prepared to face all difficulties and consequences and make all the sacrifices that may be required of us to achieve the goal we have set in front of us."[22]

I had the good fortune and honour of attending the Lahore session and I can recall that the Quaid-i-Azam spoke like a man of destiny, and his words went deep into the hearts of the one lakh delegates, everyone of whom felt in the words of Ghalib :

دیکھنا تقریر کی لذت کہ جو اس نے کہا
میں نے یہ جانا کہ گویا یہ بھی میرے دل میں ہے

The lead having been given so boldly and clearly by the Quaid-i-Azam, the session of the All-India Muslim League adopted, amid scenes of unparalleled enthusiasm, the resolution, moved by Mr. A. K. Fazalul Haq, which laid down the basic principle of the demand for Pakistan, namely, "geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Muslims are numerically in a majority as in the north-western and eastern zones of India should be grouped to constitute 'Independent States' in which the units shall be autonomous and sovereign".[23]

The plan for the establishment of Pakistan was further clarified and elaborated in concrete terms in the resolution moved by Mr. H. S. Suhrawardy and passed at the historic convention of about 500 newly elected Muslim members of the Central and Provincial Legislatures at Delhi on 9 April 1946 as follows : "the zones comprising Bengal and Assam in the North-

22. Jamil-ud-Din Ahmad, op. cit., pp. 153-55.
23. Resolutions of All-India Muslim League, 1938-40, pp. 47-48.

East and the Punjab, N.-W.F.P., Sind and Baluchistan in the North-West of India, where the Muslims are in a dominant majority, be constituted into a sovereign state" and "two separate constitution-making bodies be set up by the peoples of Pakistan and Hindustan for the purpose of framing their respective constitutions".[24]

In 1946 the British Cabinet Mission after prolonged negotiations suggested a compromise plan of a three-tier constitution providing for a strictly limited Centre, Groups of Provinces and autonomous provinces. Actuated by an earnest desire for a peaceful and amicable settlement, the Muslim League accepted the Plan as it met the substance of the demand for Pakistan, while keeping the way open for the emergence of sovereign Pakistan in case the Union Centre functioned to the detriment of the Muslim Groups of Provinces. The Congress, on the other hand, adopted a dubious attitude—while professing to accept the Plan the Congress twisted it by misinterpreting the grouping scheme to mean that a province could, in the first instance, decide whether or not it would belong to a group and also frame its own constitution. Inspite of repeated authoritative explanations by the Cabinet Mission and the British Government that provinces could opt out of their Groups only after the first general elections under the new constitution, the Congress persisted in its misinterpretation and unreasonable attitude. A British writer, Penderel Moon, feels constrained to remark that it was almost as if a "curse" had been laid on Mr. Nehru and some of his colleagues, causing them "to act in such a way as to bring about almost exactly the opposite result to that which they intended. They passionately desired to preserve the unity of India, they consistently acted so as to make its partition certain".[25] The onus of responsibility for failure of the Cabinet Mission's plan clearly lay on the Congress.

By his superb sagacity and skilful statesmanship the Quaid-i-Azam, in the words of an Indian paper the 'Blitz',

24. Resolutions of the All-India Muslim League, 1944-46, pp. 46-47.
25. Penderel Moon, op. cit.

"outbid, out-witted and out-manoeuvred the British and the Congress alike".[26] The British Government could no longer maintain that its Plan of May 1946 had any chance of being successfully implemented and was forced to declare on February 20, 1947 that "if it should appear that an agreed constitution would not have been worked out by June 1948 it would have to consider to whom it should transfer the powers of the Central Government, whether as a whole to some form of Central Government for British India or in some areas to the existing provincial Governments or in such other way as might seem most reasonable and in the best interests of the Indian people."[27] This statement clearly foreshadowed the emergence of Pakistan. On June 3, 1947 the plan for the partition of British India was at last announced in terms of which Pakistan came into being through recognised democratic procedures.

This is a unique achievement in history, as President Mohammad Ayub Khan in his speech on 25 December 1958 remarked : "Quaid-i-Azam established a great new country. We can never forget this great miracle of Quaid-i-Azam. After the great Caliphs of early Islam there is hardly any person other than the Quaid-i-Azam who faced all difficulties and opposition with such great determination and succeeded in securing a country for the nation."

26. Quoted in Abdul Wahid Khan's *India Wins Freedom*—the other side, Karachi, 1961, p. 239.

27. C. H. Phillips, *The Evolution of India and Pakistan*, London, 1965, pp. 392-93.